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Titles of the Regulations Passed in the Year 1824

Sub. – Law And Legislation / Bengal / Regulations

Regulations

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TITLES

OF THE

REGULATIONS

PASSED IN THE YEAR

1824.

REGULATION I.

A REGULATION *for enabling the Officers of Government to obtain, at a fair valuation, Land or other Immovable Property, required for Roads, Canals, or other public purposes, and for declaring in what manner the claims of the Zemindars, and of the Officers in the Salt Department, are to be adjusted in certain Districts, where Lands are required for the purposes of Salt Manufacture: Passed by the Governor General in Council on the 8th January,* 1824.

REGULATION II.

A REGULATION *for abolishing the Furruckabad Mint, and for modifying some of the Rules in force relative to the Furruckabad Rupee: Passed by the Governor General in Council on the 5th February,* 1824.

REGULATION III.

REGULATION III.

A REGULATION *to empower Government to extend the Jurisdiction of Registers in certain cases: Passed by the Governor General in Council on the 12th February,* 1824.

REGULATION IV.

A REGULATION *to provide more effectually for the Office of Register of Deeds: Passed by the Governor General in Council on the 12th February,* 1824.

REGULATION V.

A REGULATION *for extending the operation of Regulation VI.* 1823, *to the Provinces of Orissa, Behar, and Benares, and to the Ceded and Conquered Provinces: Passed by the Governor General in Council on the 4th March,* 1824.

REGULATION VI.

A REGULATION *for defining the course of proceedings to be pursued by the Magistrates with respect to Individuals charged before them with two or more offences in certain cases; for modifying Clause Second, Section II. and for amending certain other provisions of Regulation XII.* 1818: *Passed by the Governor General in Council on the 25th March,* 1824.

REGULATION VII.

A REGULATION *for explaining and amending certain parts of the Regulations at present in force, respecting the Manufacture and Sale of Spirituous Liquors and Intoxicating Drugs, and for enacting certain Rules for the better security of the Revenue derived from the exclusive*

Manufacture

Manufacture and Sale of Opium: Passed by the Governor General in Council on the 25th March. 1824.

REGULATION VIII.

A REGULATION *for Rescinding Regulation IV. of* 1813, *for determining the rates of Toll to be levied on Boats, Rafts, Timbers, and the like, passing through the Bhagaruttee, Jellinghee, Issamuttee, Matabhangah, and Choornee Rivers, and for providing for the better collection of the Toll, and for the secure navigation of the aforesaid and other navigable Rivers: Passed by the Governor General in Council on the 8th April,* 1824.

REGULATION IX.

A REGULATION *to extend, with certain exceptions and conditions, the existing settlement in the Conquered Provinces and in Bundlecund, for a further period of Five years: Passed by the Governor General in Council on the 1st July,* 1824.

REGULATION X.

A REGULATION *for modifying and amending the Rules at present in force, in regard to the pardon of persons charged with or suspected of Criminal offences: Passed by the Governor General in Council on the 8th July,* 1824.

REGULATION XI.

A REGULATION *for empowering the Zillah and City Judges and Magistrates, to depute their Registers or Assistants, for the purpose of making local investigations in certain cases: Passed by the Governor General in Council on the 15th July,* 1824.

REGULATION XII.

REGULATION XII.

A REGULATION *for reviving the penalty formerly imposed on wilful Revenue Defaulters: Passed by the Governor General in Council on the 22d July,* 1824.

REGULATION XIII.

A REGULATION *for making further provisions relative to the office of Sudder Aumeen: Passed by the Governor General in Council on the 22d July,* 1824.

REGULATION XIV.

A REGULATION *for modifying the Rules in force for referring to the Collectors Summary Suits in cases of arrear or exaction of Rent: Passed by the Governor General in Council on the 22d July,* 1824.

REGULATION XV.

A REGULATION *for enabling the Magistrates and Joint Magistrates to take summary cognizance of cases of forcible dispossession from, or disturbance in the possession of Land, or other property, subje[illegible] a regular suit in the Civil Court: Passed by the Governor General in Council on the 22d July,* 1824.

REGULATION XVI.

A REGULATION *for rescinding and modifying certain parts of the existing Regulations, relating to the collection of Stamp Duties; Passed by the Governor General in Council on the 18th November,* 1824.

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ALTERATIONS,

INDEX TO THE

ALTERATIONS, MODIFICATIONS, RESCISSIONS, EXTENSIONS, &c. &c.

Regulations Altered.					*By what Regulation.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	XLIX.	—	—	Modified by - - -	XV.	II.	—
1795	XIV.	—	—				
1799	VII.	—	—	Ditto Ditto, - - -	XIV.	II.	*First.*
1800	V.	—	—				
1802	II.	—	—	Applied by - - -	VII.	II.	*Fourth.*
—	II.	XVI. XVII. XVIII XIX. XX. & XXI.	—	Extended by - - -	VII.	III.	*First.*
1803	XLV.	XXIII. and XXIV.	—	Modified by - - -	II.	III.	—
—	XXVIII	—	—	Ditto Ditto, - - -	XIV.	II.	*First.*
—	XXXII.	—	—	Ditto Ditto, - - -	XV.	II.	—
1810	XII.	II. III. & IV.	—	Amended by - - -	VI.	V.	—
—	XIV.	V.	—	Rescinded by - - -	X.	II.	—
—	XIII.	XI.	*First and Second.*	Ditto by - - - -	XIII.	III.	*First.*
1811	I.	IX.	—	Ditto by - - - -	X.	II.	—
1812	V.	XXVIII.	*First.*	Ditto by - - - - -	XII.	II.	—
—	V.	—	—	Modified by - - -	XIV.	II.	*First.*
1813	X.	—	—	Ditto by - - - -	VII.	VI.	—
—	—	XIX. and XXVII.	—	Partly Rescinded by - -	VII.	VII.	—
—	—	III.	—	Modified by - - -	VII.	IX.	*Third, Fourth, & Fifth*
—	—	XXI. XXII. XXIII. and XXIV.	—	Applied by - - -	VII.	X.	*Second.*
—	—	XV.	*Second.*	Rescinded by - - -	VII.	XV.	—
—	—	XXX.	—	Commuted by - - -	VII.	XVI.	*Second.*
—	IV.	—	—	Rescinded by - - -	VIII.	II.	*First.*
—	VII.	—	—	Modified by - - -	XIV.	II.	*First.*
—	VI.	—	—	Ditto by - - -	XV.	II.	—
1814	I.	IX. XI. XII. and part of XVIII.	—	Rescinded by - - -	XV.	III.	—
—	—	—	—	Partly Rescinded by - -	XVI.	IX.	*First.*
—	—	V.	—	Further Modified by -	XVI.	IX.	*Second.*
—	—	X.	—	Partly Rescinded by- -	XVI.	X.	—
—	—	—	*Ninth.*	Modified by - - -	XVI.	XIV	—
—	XVII.	—	—	Applied by - - -	VII.	VIII.	*Second.*
—	XXIII.	—	—	Partly Rescinded by -	XIII.	II.	*First.*
—	—	II.	—	Ditto Ditto by - - -	XIII.	III.	—
—	—	LXVIII.	—	Rescinded by - - -	—	IV.	—
—	—	LXXVI.	*Second, Third, Fourth and Sixth.*	Enforced by - - - -	—	V.	—
—	—	—	*Fifth.*	Rescinded by - - -	—	—	—
—	XXVI.	VI.	—	Ditto by - - - -	—	IV.	*First.*

Regulations Altered, &c.					By What Regulations.		
Year.	Regulation.	Section.	Clause.		Regulation.	Section.	Clause.
1814	XXVI.	VI.	—	Applied (with an exception) by	XIII.	IV.	*Third.*
—	—	V.	—	Extended by - - -	—	—	*Fourth.*
—	—	XVII. XVIII. XIX. partly, and XXVI.	—	Rescinded by - - -	XV.	III.	—
1816	XIII.	XLI.	—	Modified by - - -	VII.	XVII.	*First.*
—	—	—	—	Further Ditto by - -	—	XXI.	—
—	—	LXXXI. LXXXII. LXXXV. to XC. inclusive.	—	Applied by - - -	—	XVI.	*Fourth.*
1817	III.	IV.	—	Partly Rescinded by -	XIII.	III.	*First.*
—	XIX.	—	—	Modified by - - - -	XIV.	II.	—
1818	XI.	—	—	Rescinded by - - -	VIII.	II.	*First.*
—	XII.	II.	*Second.*	Modified by - - -	VI.	III.	—
—	—	—	*Fifth.*	Amended by - - -	—	II.	*First.*
—	—	III.	*Fourth.*	Amended by - - -	—	II.	*First.*
1820	IV.	IV.	—	Applied by - - -	—	IV.	—
1821	II.	—	—	Partly Rescinded by -	XIII.	II.	*First.*
1822	VII.	III. and following.	—	Applied by - - -	IX.	IV.	—
1823	VI.	—	—	Extended by - - -	V.	II.	—

	Regulation.	Section.	Clause.
CEDED AND CONQUERED PROVINCES.			
The existing settlement in the Ceded and Conquered Provinces, and in Bundlecund, extended in certain cases, for a further period of five years. ...	IX.	II.	*First.*
Zemeendars declining to continue their engagements for such period, to notify the same to the Revenue Authorities, on or before the 11th of October next.			
On failing to do so, declared responsible for the payment of the present Jumma during the ensuing five years, the Jumma, in such cases, to remain unaltered.			*Second.*
Collectors empowered to exclude certain Mehals from the operation of the above rule, should any special reason exist, and declared competent to form a Settlement of such Mehals, or renew the Leases of them, for a further period. Proviso as to notice being given of such determination by the Collectors.			*Third.*

The

	Regulation.	Section.	Clause.
The above rules not to affect engagements already entered into.			*Fourth.*
Zemeendars, &c. whose engagements may be continued, allowed, after the expiration of such Leases, to hold their lands at the same Annual Jumma, until the formation of a revised settlement. Proviso against the payment of a higher Jumma by Zemeendars, unless timely apprized, such persons declared not liable to be ousted from the management of the lands, without notice given, except by due course of law.			*Fifth.*
Estates at present let in farm to be re-settled on the expiration of the existing Leases, and Zemeendars possessing a permanent property in the Mehals to have a preference.			
Proviso limiting such Leases to twelve years. The above rules declared applicable to Estates held Khas. Rule of proceeding in cases where Zemeendars, &c. refuse to maintain their engagements; Proviso for the exclusion of persons, who may have wilfully deteriorated their lands, &c.—In such cases, and others, where special circumstances require it, leases may be granted for fifteen years.	IX.	III.	
Rules contained in the third and following Sections of Regulation VII. 1822, with the foregoing modifications, declared equally applicable to the Conquered Provinces and to Bundlecund. Proviso limiting, in certain cases, the application of part of Clause 3, Section IX. of that Regulation.		IV.	
CRIMINAL JUSTICE.			
No sentence to be passed by a Magistrate, on individuals charged with two or more distinct offences, punishable under Sections I. II. III. Regulation XII. 1818, until the proceedings in both cases are completed.	VI.	II.	*First.*
On conviction of two or more charges, a Magistrate may pass sentence of punishment to the extent authorized for one, if such punishment appears sufficient.			*Second.*
If not sufficient, the Magistrate to commit the prisoner to the Court of Circuit, for trial for each offence.			*Third.*

Clause

	Regulation.	Section.	Clause.
Clause Second, Section II. Regulation XII. 1818, modified, ...		III.	
Section IV. Regulation IV. 1820, applicable to purchasers and receivers of stolen property, when the amount or value stolen shall exceed three hundred rupees, ...		IV.	
Sections II. III. and IV. of Regulation XII. 1818, amended, ...		V.	
FURRUCKABAD MINT.			
The Mint at Furruckabad abolished. Proviso in regard to Coin or Bullion brought to the Mint at Furruckabad for coinage, previously to the promulgation of this Regulation, ...	II.	II.	
Furruckabad Rupees and Half and Quarter Rupees to be still receivable in all public and private transactions, if not below a certain weight, ...		III.	
LAND AND OTHER IMMOVEABLE PROPERTY.			
When Ground wanted, Officers of Government to call on proprietor to state terms and any objection to transfer, ...	I.	II.	
If parties refuse to dispose of Property, Government may direct recourse to be had to arbitration,		III.	*First.*
In certain cases Government may delegate the power of directing a recourse to arbitration, ...			*Second.*
Arbitrators how to be appointed, and how to conduct their enquiries, ...		IV.	*First.*
Two Arbitrators on the part of Government to be selected by what officer, ...			
Parties to be required to elect two Arbitrators on their behalf, ...			*Second.*
Arbitrators, how to be selected out of the Nominees of the parties if more than two. Course to be followed, if only two persons be nominated. If only one person be nominated, ...		IV.	*Second.*
Declaration to be made by Arbitrators, ...			*Third.*
Umpire how to be chosen, ...			*Fourth.*
Functions of the Umpire.			*Fifth.*
Residing Officer to exercise what powers to secure attendance of the Arbitrators and completion of the award. In what cases may refer the matter to Umpire, ...			*Sixth.*

Arbitrators

	Regulation.	Section.	Clause.
Arbitrators to act under the Judge, Collector, or Magistrate of the district, ...			*Seventh*
Who shall cause witnesses to attend the Arbitrators.			*Eighth.*
Information to be furnished to Arbitrators by the Officer superintending the work, ...			
In what cases Arbitrators may measure, ...		V.	
Compensation for Lakhiraj land, how to be determined, ...		VI.	*First.*
Arbitrators how to proceed in cases of dispute between parties holding different interests in the land, ...			*Second.*
Adjustment how to be made for land, subject to the payment of revenue, ...			*Third.*
Rights of parties claiming an interest in land, taken by Government, how to be adjusted, ...			*Fourth.*
Arbitrators how to proceed when possession is doubtful. Possession by Government of property transferred to it, under the Regulation quoted, to be disturbed or defeated by reason of any matter touching the right or title of the former occupant, ...		VI.	*Fifth.*
Award how to be given by Arbitrators, ...		VII.	*First.*
Officer receiving award, how to proceed, ...			*Second.*
Grounds on which alone award shall be impeached,			*Third.*
Surrender of property required for public purposes, to be enforced by Magistrate, ...			*Fourth.*
Expences to be paid by Government, in cases referred to arbitration, under the above rules, ...			*Fifth.*
The above rules not applicable to the removal of obstructions to the navigation of rivers, ...		VIII.	
The above rules not to be applicable to lands required for the use of the Salt Department, unless so expressly provided, ...		IX.	*First.*
Rules for the adjustment of relative rights of Zemeendars and the Officers of the Salt Department, founded on the result of a special enquiry,			*Second.*
Khalaree remissions granted on the first establishment of the monopoly, on what principle allowed,			*Third.*
To be continued in perpetuity, ...			*Fourth.*
No further remissions or abatements, on account of Salt or Fuel Land, to be allowed without authority of Government, ...			*Fifth.*
Claims by Zemeendars to Khalaree rents, how to be prosecuted, ...		IX.	*Sixth.*

Collection

	Regulation.	Section.	Clause.
Collection of Khalaree rents from Molungees, unless where authorized by Government to be discontinued, ...		IX.	*Seventh*
Also Tax on Fuel, ...			*Eighth.*
Contracts for the manufacture of Salt, what to specify, ...			*Ninth.*
Agents to ascertain and record in whom the property of Salt lands is vested, ...			*Tenth.*
What Lands to be considered as held by the officers of the Salt Department free of rent, under a perpetual tenure, and to be eventually liable to assessment by the revenue authorities, ...			*Eleventh*
What Lands to be considered as the property of Government, ...			*Twelfth.*
What Lands to be considered as belonging to individual proprietors, rents how to be paid, ...			*Thirteenth*
Salt Lands, how to be occupied by Officers of Salt Department, ...		X.	*First.*
Claims to Lands so occupied, how to be prosecuted and adjusted, ...			*Second.*
What course to be followed, if Land claimed by Zemindars, shall appear to the Collector to belong to Government, ...			*Third.*
Pending Claims, how to be adjusted, ...			*Fourth.*
Rent of Land occupied by Salt Department, when to cease, ...		XI.	
Cultivation of Salt Churs, without permission of Board of Customs, Salt and Opium, prohibited, ...		XII.	
Churs and Salt Lands not belonging to individuals, how to be held by the officers of the Salt Department.		XIII.	
Rules for settling the relative rights of Zemindars and Government in respect to Fuel Lands, ...		XIV.	*First.*
Where no specific engagement exists, the Salt Department shall be held to be entitled to free Fuel to the extent of the existing manufactories, from waste land within estates of which the owners receive remissions, ...			*Second.*
The above provision not to affect rights specifically reserved not to entitle the officers of Salt Department to prevent cultivation, ...			*Third.*
In what cases recourse shall be had to the proceeding specified in Section IV.			*Fourth.*
Declaration as to the extent of privilege secured to the Salt Department, by remissions granted on			

account

	Regulation.	Section.	Clause.
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Such persons to be examined without oath, ...			*Second.*
Motives for tendering pardon to be recorded, and a copy of the proceeding to be sent to the Superintendant of Police, ...			*Third.*
When the tender of such pardon may be desirable, with a view to obtain the evidence of an accomplice, the previous sanction of the Superintendant of Police necessary, ...		III.	*Fourth.*
Copy of the examination, without oath of the accomplice, to be transmitted to the Superintendant of Police, ...			*Fifth.*
Caution to be observed in such cases by Magistrates, Joint Magistrates, and Superintendants of Police,		IV.	*First.*
The offer of a pardon not to be sanctioned in certain cases, ...			*Second.*
Improper exercise of the power conferred on Magistrates and joint Magistrates to be reported by the Superintendant of Police, ...			*Third.*
Judge of Circuit or Nizamut Adawlut, competent to direct the commitment of a person to whom pardon may have been tendered, if he shall not fulfil the conditions of the tender, ...		V.	*First.*
Or to direct the Magistrate or Joint Magistrate to tender a pardon, when they may judge it necessary, ...			*Second.*
Nizamut Adawlut may revise proceedings and annul the orders of Magistrates, Joint Magistrates and Superintendents of Police, when a pardon may have been improperly tendered, ...			*Third.*
Assistants to Magistrates not to exercise the powers conferred on Magistrates and Joint Magistrates, under this Regulation, ...		VI	
REGISTERS.			
Registers may be empowered to investigate regular Suits arising in any portion of any district, in			

which

	Regulation.	Section.	Clause.
which he may exercise the powers of Joint Magistrate, ...	III.	II.	*First.*
Provisions in the existing Regulations applicable to such Suits, ...			*Second.*
Reports to be furnished by such Registers to the Judge of the Zillah or City, within whose jurisdiction the Suit may have originated.			*Third.*
REGISTER OF DEEDS.			
The office for the Registry of Deeds to be established at the Sudder Station of the Zillah or City Court, superintended by the Register. If there be more than one Register, by the Register employed at the Zillah Station. If the Register be prevented from performing this duty by sickness, &c. may appoint a Deputy, with approbation of the Judge. Deputy to be a Covenanted Servant and must take oath, ...	IV.	II.	
If Register, vested with Superintendance of his office, be absent from Sudder Station, and have not appointed a Deputy, the Judge authorized to appoint one, ...		III.	
Judge shall appoint a qualified person, being a Covenanted Servant, to act as Register of Deeds, when, from a vacancy in an office of Register, a Deputy cannot be appointed, ...		IV.	
If there be no qualified person at the Station, the Judge is authorized and required to perform the duty himself, ...		V.	
Registry of Deeds hitherto duly executed by other Covenanted Servant than the Register, with the permission of Judge, in the absence of Register, equally valid, as if executed by Register, ...		VI.	
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SPIRITUOUS

SPIRITUOUS LIQUORS.	Regulation.	Section.	Clause.
The retail sale of Spirits, Wines, and all kinds of fermented Liquors, except under a Collector's License, declared to be illegal and subject to penalties.	VII.	II.	*First.*
Persons not being British born subjects, prohibited from constructing or working Distilleries, and from selling Spirits, Wines, &c. without a License.			*Second.*
British born subjects, prohibited from constructing or working a Distillery, at more than ten miles from Calcutta, and from retailing Spirits, Wines, &c. in any part of the country, without a License from the Collector of the district, ...			*Third.*
Such persons constructing or working a Distillery in the European manner, within the limits above specified, to continue subject to the rules contained in Regulation II. 1802. Proviso. ...			*Fourth.*
Distillers to pay the prescribed Still-head Duty to the Collector in charge of the Abkarry Mehal. Collectors, &c. authorized to exercise the powers vested by Regulation II. 1802, in Justices of the Peace.			*Fifth.*
Proviso, in cases where it may be deemed necessary to suspend the operation of particular rules: and power reserved to substitute such other rules as may, from time to time, appear expedient. ..			*Sixth.*
To what description of Spirits the rules in force relative to a drawback or exportation, are to be considered applicable.		III.	*First.*
Spirits manufactured within the foreign settlements prohibited from being carried out of the limits of such settlements, until the Still-head Duty shall have been paid.			*Second.*
Rate of Duty to be paid to Government, by persons receiving a License for the retail sale of Spirits manufactured at any European distillery.		IV.	*First.*
A retail Duty to be paid on all Spirits imported by sea.			*Second.*
And upon the retail sale of Wines, ...			*Third.*
Retailers of Wines or Spirits, previous to receiving a License to enter into engagements, and give security for paying the retail Duty.			
Penalty for any breach of such engagements, ...			*Fourth.*

Prohibition

	Regulation.	Section.	Clause.
Prohibition against the wholesale vend of Wines and Spirits beyond the limits of Calcutta, except by License. A fee to be paid for such License, ...	VII.	V.	*First.*
The sale of less than two gallons of Wines or Spirits to be considered as a retail sale, ...			*Second.*
License for the retail sale of Spirits manufactured at or beyond the boundaries of the Sudder Distilleries to be granted as heretofore—Proviso, ...		VI.	
Such parts of the Regulations in force as restrict the Revenue authorities, in regard to the period for granting Licenses for the manufacture and sale of Spirits, &c. rescinded, ...		VII.	*First.*
Licenses for the retail sale of Spirits, &c. to be granted for one year, unless otherwise specially ordered by Government or the Board of Revenue,			*Second.*
Power vested in the Board of Revenue to modify and alter the terms of Licenses and engagements as may, from time to time, appear expedient, ...			*Third.*
All Licenses declared liable to resumption. Proviso, allowing an appeal to the Board of Revenue in such cases: who may award a compensation to the party aggrieved, unless he has broken the peace, or violated any of the Regulations. Courts of Justice prohibited from interference. Fifteen days notice to be given in certain cases to the Collector before the year expires, or in failure, the License and engagement to remain in full force, ...			*Fourth.*
Board of Revenue declared competent to sanction the Grant of Leases of the duties leviable on the manufacture and sale of Spirits, &c. for such periods as may appear advisable, ...		VIII.	*First.*
The existing rules for the recovery of arrears, due by the venders, or manufacturers of Spirits, &c. declared equally applicable to the farmers of duties and their sureties. Proviso entitling the farmers of duties to enforce the payment of arrears due to them, ...			*Second.*
Licenses or Leases for more than five years, declared invalid, unless sanctioned by the Governor General in Council, ...		IX.	*First.*
Board of Revenue empowered to authorize manufactories of Putchwye and other Spirituous liquors, &c. to be established under the rules in force in any district subject to its authority.			

And

	Regulation.	Section.	Clause.
And to alter and amend such rules, when necessary, ...			*Third.*
Board of Revenue authorized to direct the discontinuance of established Sudder Distilleries, whenever such a measure shall be deemed expedient. Application of the general rules in such cases, ...			*Fourth.*
Board of Revenue empowered to fix the limits within which Spirits, manufactured at a Sudder Distillery, must be sold, ...			*Fifth.*
Penalty to which British born subjects are declared liable for retailing Spirits or Wines at no greater distance than ten miles from Calcutta, without a regular License for so doing, ...		X.	*First.*
The existing penal rules declared applicable to all persons, (British born and others,) who, without a License, shall retail Spirits or Wines at any place distant, more than ten miles from Calcutta. And to all persons not being British born, who, without a License, may retail Spirits at any place beyond the limits of Calcutta, ...			*Second.*
Penalty on persons conveying away foreign or other Spirits, not intended for private consumption, without a pass attesting the payment of the prescribed duties. Proviso, ...		XI.	
Certificates attesting the payment of the Still Head Duty to be granted by the Collector, for one year only. But an exchange Certificate for another year, may be granted on application. A fee to be paid on such renewal, ...		XII.	*First.*
Dealers in Spirits if desirous of dividing a dispatch of Spirits, entitled to receive parcel Certificates, on surrendering the original Certificate, and furnishing satisfactory information. A fee to be paid on such occasions, ...			*Second.*
To what penalties, persons in charge of Sudder Distilleries are subject, on being convicted of a fraudulent breach of trust, ...		XIII.	*First.*
Punishment to which Native Officers are subject, on being convicted of conniving at the establishment of unlicensed shops, ...			*Second.*
Informers entitled to a moiety of the fine on the conviction of a Native Officer. Penalty in such cases, where the conviction originates in malice, &c.		XIV.	

Churrus

	Regulation.	Section.	Clause.
Churrus allowed to be retailed under the same rules and restrictions as Gunja, &c.		XV.	
Punishment to which proprietors and managers of Land are declared liable, on conviction of conniving at the illicit manufacture or sale of Spirits, intoxicating drugs, &c., within their estates or farms.		XVI.	*Second.*
Such charges declared cognizable by the Collector, and to be investigated under the rules in force. Proviso against the issue of a warrant in such cases, ...			*Third.*
Further proviso as to the mode of proceeding in such cases, ...			*Fourth.*
Power reserved to Government for granting authority to Public Officers and others to seize contraband spirits, opium, &c., within certain limits, ...		XVII.	*First.*
Mode of proceeding to be observed on such occasions, ...			*Second.*
Penalty on persons concerned in encouraging or advising the illegal cultivation of the Poppy, ...		XVIII.	*First.*
Native Officers required to assist in preventing the above offence. Penalty in case of neglect of duty,			*Second.*
Similar penalty on Putwarees, ...			*Third.*
Proviso, in cases where the value of the forfeited opium may not amount to the full sum of the penalty incurred, ...			*Fourth.*
Penalty on persons purchasing, bargaining for, or encouraging the embezzlement of Opium through the medium of cultivators of the Poppy or those employed in the provision of Opium on account of Government. Proviso, in cases where the Opium illegally purchased or bargained for, shall not amount to the sum of one thousand and five hundred rupees, ...			*Fifth.*
Native Officers of Government required to suppress the illicit sale, purchase, and possession of Opium by every means in their power. Penalty on being convicted of connivance or neglect of duty, ...			*Sixth.*
Punishment for forcibly resisting a public officer employed in the seizure of contraband Opium, ...			*Seventh*
Officers how to proceed in cases where they may apprehend opposition, or resistance in making seizures of contraband Opium, &c.			*Eighth.*
Such seizures to be made at the sole risk and responsibility of the Officers seizing, ...			*Ninth.*

The

	Regulation.	Section.	Clause.
The Opium Agents of Behar and Benares empowered to exercise the Judicial functions vested in the Collector of Revenue, by Regulation XIII. 1816, ...		XIX.	*First.*
Subject to the control of the Board of Customs, Salt and Opium, ...			*Second.*
Medical Officers when required by the Collectors and Agents, to regulate and class all confiscated Opium, under distinct heads, ...		XX.	
Opium Agents not entitled to any share of rewards, as hitherto, for Opium seized and confiscated by their Officers, or under their orders. Proviso, as to the discontinuance of rewards to other Officers, ...		XXI.	*First.*
Specification of rewards to be paid to informers, and Native officers concerned in the seizure of good Opium, ...			*Second.*
Rewards for the seizure of marketable Opium, ..			*Third.*
Ditto ditto ditto of inferior Opium, ...			*Fourth.*
In the foregoing cases, informers to receive a moiety, and Native officers a fourth of all fines, and of the proceeds of boats, carriages, cattle, &c. seized with contraband Opium. But if the seizure is effected by Native officers, without the intervention of an informer, such officer to receive three fourths of the fines and proceeds, ...			*Fifth.*
No reward to be given for the seizure of useless Opium, ...			*Sixth.*
Collectors, &c. how to proceed to compel payment of fines, under this Regulation, ...		XXII.	
Opium Agents and their Deputies empowered to punish their Native officers, &c. for neglect of duty, or acts of oppression, ...		XXIII	*First.*
And to recover balances due by Opium cultivators, &c. by a distraint and sale of lands, with such powers as are vested in the Collectors of Land Revenue, ...			*Second.*
Unlicensed persons residing in Calcutta, prohibited from having in their possession more than a pound of Foreign Opium, unless under a Certificate from the Secretary to the Board of Customs, Salt and Opium, under a certain penalty,		XXIV.	*First.*
What such Certificates are to contain; and by whom to be registered, ...			*Second.*

Rule

	Regulation.	Section.	Clause.
Rule to be observed by persons applying for permission to export by Sea, Opium covered by the certificate. Penalty for infringement, ...			*Third.*
Certificates to be in force for one year only. But if produced before the expiration of the year, may be renewed at the discretion of the Board. Unrenewed Certificates, after the lapse of a year, to be considered null and void.			*Fourth.*
STAMP DUTIES.			
Water-mark paper, or paper of a value not exceeding four annas per piece, need not be authenticated,...	XVI.	II.	
Certain Provisions rescinded, ...		III.	
New Stamp Duties prescribed for certain deeds, instruments, and writings, ...		IV.	
Lands, how to be valued, ...		V.	
Penalty for employing paper, not bearing the prescribed Stamp, ...		VI.	*First.*
Or evading the rule, by executing deeds out of the provinces, ...			*Second.*
No deed executed in any place on the Continent of India, shall be received in any Court, unless written on paper bearing the prescribed stamp, ...			*Third.*
Foreign Bills of Exchange not to be negociated without payment of prescribed Stamp Duty, ...			*Fourth.*
Holders of Instruments written on unstamped Paper, on what conditions to get them duly stampt, If within thirty days—if after thirty days, ...			*Fifth.*
Penalty in case of the employment of paper stamped with too low a stamp, ...			*Sixth.*
Provision for cases of accident or inadvertence, ...			*Seventh*
Board authorized to cause a stamp to be impressed on deeds and instruments executed on unstamped paper, previously to the enactment of this Regulation, ...		VI.	*Eighth.*
Application in such cases, how to be made, ...			*Ninth.*
Penalty for filing, or recording papers not executed on paper bearing the prescribed stamp, ...		VII.	*First.*
Penalty for Vakeels and others preparing papers without the prescribed stamp, ...			*Second.*
No exception on account of over value, ...		VIII.	
Stamps to be stamped on such paper, and in such manner as Government directs, ...		IX.	*First.*
Board of Revenue to cause proper dies, &c., to be prepared, ...			*Second.*

Such

	Regulation.	Section.	Clause.
Such officers to be appointed to the management of Stamp concerns in each district, with such remunerations as Government may judge fit. Rules regarding appointment of Stamp Venders likewise modified. Appointment of Venders how to be made. Conditions of appointment, ...		X.	
Venders always to have stuck up, for general inspection, a copy of the Schedule of Duties, together with their respective Licenses, and further to notify their appointment as may be directed —Penalty for neglect, ...		XI.	*First.*
Stamp Venders to endorse paper sold by them —Penalty for neglect. Ditto for a false date, ...			*Second.*
Venders not to sell Stamps at an inadequate price —Penalty for neglect. Penalty for purchasing at an inadequate price, ...			*Third.*
Penalty for refusing or delaying to deliver paper, ...			*Fourth.*
No Vender to take more than the prescribed price of Stamp sold by him. Penalty for neglect of this rule, ...			*Fifth.*
Accounts to be kept by Venders. Venders regularly to pay money, received by them on account of Stamps, ...			*Sixth.*
Penalty for refusal, or neglect to produce accounts,			*Seventh*
Penalty for withholding accounts and store of paper, from the inspection of the Collector, ...			*Eighth.*
On resignation or dismission, paper and accounts to be delivered up, ...			*Ninth.*
Also on death of Vender, ...			*Tenth.*
In case of deficiency, Collector may proceed against parties, ...			*Eleventh.*
Collector may issue search warrant, ...			*Twelfth*
Penalty for filing or recording paper not duly endorsed. Proceeding to be followed in case of forged Stamp being filed, ...		XII.	*First.*
Persons discovering forged Stamps in their possession, how to proceed, ...			*Second.*
Decision of the Board regarding Penalties, in what cases to be final, ...		XIII.	*First.*
Penalties and balances due by Venders or distributors, how to be recovered, ...			*Second.*
Penalties, other than the above specified, how to be recovered—Power of remitting Penalties vested in the Revenue Boards, ...			*Third.*
Rewards to informers			*Fourth.*

Modification

	Regulation.	Section.	Clause.
Modification of the Rule regarding the transfer of Stamps by one individual to another. Individuals, how to transfer Stamps, ...		XIV.	
Individuals, on what terms to be supplied with Stamps for eventual use, ...		XV.	*First.*
Receipt to be produced to Superintendent of Stamps by persons wishing to have paper stamped, ...			*Second.*
Examination and authentication of Stamps delivered by the Superintendant to individuals, ...			*Third.*
Discount, in what cases and to what amount to be allowed, ...			*Fourth*
Board may order Stamps to be furnished, on conditions above specified, to licensed Venders, ...			*Fifth.*
Penalty for stamping paper brought by individuals, without due Certificate. Also for granting a Certificate without full receipt of duty, ...			*Sixth.*
Penalty for procuring a Stamp to be improperly impressed, or Certificate granted, ...			*Seventh*
Stamps accidentally destroyed, how to be replaced,		XVI.	*First.*
Also soiled or spoiled Stamps, ...			*Second.*
Application in such cases, how to be preferred by the owner of the Stamps, ...			*Third*
Restriction of above provision to cases in which the Stamp or Stamps destroyed or spoiled, may exceed in value ten rupees. Limitation to time of application, ...			*Fourth.*
Board, Collectors, and Superintendant of Stamps, authorized to administer oaths, ...		XVII.	
Venders to verify accounts on oath, when required,		XVIII.	
Modification of Regulation X. 1814, ...		XIX.	*First.*
Instruments and Wills relating to matters of or belonging to the Commercial Department, to be written on Stampt Paper of the same value as is prescribed for individuals, ...			*Second.*
SUDDER AMEENS.			
Parts of Regulation XXIII. 1814, and Regulation II. 1821, rescinded, ...	XIII.	II.	*First.*
Sudder Ameens to receive monthly allowances instead of fees, ...			*Second.*
Parts of Section II. Regulation XXIII. 1814, and Section IV. Regulation III. 1817, rescinded, ...		III.	*First.*
Stamp duties, in original suits and appeals, referred to the Sudder Ameens, how to be disposed of, when such suits are adjusted by Razee Nameh, ...			*Second.*

	Regulation.	Section.	Clause.
A monthly statement of Stamp Duty, receivable by the parties entitled thereto, to be furnished by the Sudder Ameen, ...			*Third.*
Part of Section LXVIII. Regulation XXIII. 1814, and Section VI. Regulation XXVIII. 1814, rescinded,		IV.	*First.*
The Judge may refer suits, in *formâ pauperis*, to a Sudder Ameen, ...			*Second.*
Certain Provisions in Regulation XXVIII. 1814, declared applicable to parties in appealed cases referred for trial to Sudder Ameens—Exception, ...			*Third.*
Provision in Section V. of the same Regulation, extended to Sudder Ameens. But no final order to be passed for admission of a Pauper Suit, without the sanction of the Judge or Register, ...			*Fourth.*
The whole of Clauses II. III. IV. V. and VI. of Section LXXVI. Regulation XXIII. 1814, still in force, except Section V. which is rescinded, with Proviso, ...		V.	
SUMMARY SUITS.			
Parts of former Regulations modified, ...	XIV.	II.	*First.*
A Judge referring to a Collector, Summary Suits under Section XIII. Regulation XIX. 1817, shall issue a precept, requiring him to try and decide the Suit within a limited period, or assign a sufficient reason, ...			*Second.*
In the event of considerable delay, the Judge may recal Suits from the Collector, ...			*Third.*
The Collectors are competent, summarily, to determine Suits referred to them under the foregoing Section, ...		III.	
The Collector, how to be guided in the decision of such Suits. The Collector invested with the same power as the Civil Courts, in issuing all process, except the execution of decrees, ...		IV.	
All decisions to be notified by the Collector to the Judge of the Court, by which the Suit was referred. The Collector's award to be executed by the Judge,		V	
The parties are competent to appoint any Vakeel or representative they may think proper. The remuneration of such Vakeel to be adjusted between him and his constituent, ...		VI.	

No

	Regulation.	Section.	Clause.
No other pleadings requisite than a plaint and answer, ...	XIV.	VII.	
Pleadings, &c. to be written on stampt paper of the value of eight annas. No fees to be taken on the exhibits, ...		VIII.	
Collectors competent to determine such Suits in any part of the district, provided the proceedings be held in public, ...		IX.	
A regular Suit may notwithstanding be preferred in the Zillah or City Court.		X.	
TOLLS.			
Regulation IV. 1813, rescinded, ...			
Tolls, at specified rates, to be levied by an officer of Government under the controul of the Board of Revenue on all boats, timbers, rafts, floats, and the like, passing through the Bhagaruttee, Jellinghee, Issamutty, Mata-Bhanga, and Choornee rivers, ...	VIII.	II.	*Second.*
Collectors of Tolls to be assisted by establishments of Native officers, and to exercise powers similar to the Collectors of Land Revenue, in the appointment, removal, and punishment of their subordinate officers, ...		III.	
Tolls to be levied on all boats entering or returning by the rivers specified, and whether laden with imported or exported goods, ...		IV.	
Rule to be observed in determining the tonnage of boats, &c. on which the authorized tolls are to be levied, ...		V.	
Boats not exceeding fifty maunds to be rated as twenty-five maunds burthen, and pay toll accordingly, ...			*First.*
Boats above fifty and exceeding seventy-five maunds, to be rated at fifty, and pay the prescribed toll,...			*Second.*
Boats above seventy-five and not exceeding one hundred maunds, to pay toll for seventy-five maunds, and so on progressively. On the tonnage exceeding five hundred maunds, the allowance to extend to fifty maunds, and on boats of above one thousand maunds, the toll on one hundred maunds to be relinquished, ...			*Third.*
No fleet of boats or rafts to float at one time more than twenty timbers, through any of the rivers specifically named, ...		VI.	*First.*

Nor

	Regulation	Section.	Clause.
Nor more than twelve timbers by a single boat or raft. Nor more than six timbers between the 1st December and the 1st of July, ...			*Second.*
Penalty for infringing any of the above rules. Collector empowered, in certain cases, to detain boats, rafts, &c. until the toll or penalty demandable thereon, shall have been liquidated, ...			*Third.*
Collector in such cases to report to the Board of Revenue, and notify the sale of the articles by proclamation, after an interval of fifteen days. No sale to take place till authorized by the Board of Revenue, ...			*Fourth.*
Penalty for attempting to pass boats, &c. free of toll, after having been boarded by the Collector's toll boat, ...		VII.	
Rules for defining the duties and powers to be exercised by the Supervisor of rivers. Proviso for investing Collectors, with similar powers, ...		VIII.	*First.*
Supervisor to act under orders from the Board of Revenue, for the Lower Provinces, unless otherwise directed by Government, ...			*Second.*
And empowered to cut down and remove trees, sunken boats, rafts of timber and other obstructions to the navigation of the rivers, ...			*Third.*
How such trees, &c. are to be disposed of, ...			*Fourth.*
Cases in which before the removal of trees, &c. the Supervisor is to serve the Proprietor with a Notice, or to require the removal by a Notification, ...			*Fifth.*
Owners neglecting to remove trees, &c. after due notice given, the same to be removed and disposed of by the Supervisor, ...			*Sixth.*
Supervisor may remove trees, &c. in cases of emergency, without giving previous notice, ...			
Proviso as to the mode of proceeding in such cases,			*Seventh*
Provision under which buildings, trees, &c. contiguous to rivers may be purchased on account of Government, ...			*Eighth.*
The proceeds of boats, trees, &c. sold under Clause IV. Section VIII. to be paid to the owner, ...		IX.	*First.*
Or the owner may receive such boats, trees, &c. on paying Salvage to the Supervisor, within such period as the Board of Revenue may fix. Proviso empowering the Supervisor to sell the property, in case reimbursement be not made, ...			*Second.*

All

	Regulation.	Section.	Clause.
All bandells or contrivances for fishing, tending to obstruct navigation of rivers, prohibited. Supervisor, how to proceed on the removal of, or prohibiting the fixing of bandells, &c., Punishment in case of opposition to the Supervisor's orders. Further punishment in cases where offenders have committed violence, or have been guilty of breaking the peace, ...		X.	
Punishment to which persons are declared liable for opposing or resisting the Collector or Supervisor, or preventing them or any of their officers from fulfilling the duties assigned to them, ...		XI.	*First.*
Collector or Supervisor, how to proceed in cases when forcible resistance is apprehended. Proviso as to the punishment to which proprietors and farmers of land are liable for conniving at resistance to the Collector, &c.			*Second.*
Collector or Supervisor, &c. empowered to seize and deliver over to the Police officers, all offenders described in the two preceding Sections. Supervisor, &c. to give a written statement, descriptive of the offence and offender, and to engage to furnish the Magistrate, with a full report of the case. Proviso for admitting the accused to bail, if the offence charged be of a bailable nature, ...		XII.	
Magistrates not to detain persons in custody beyond ten days, if the Supervisor has not previously followed up his complaint in the prescribed manner,		XIII.	
Persons conceiving themselves aggrieved by any order of the Board, or by any act of the Supervisor, are allowed the option of instituting a Suit in the Dewanny Adawlut against one or all of the parties. Judge, how to proceed in such cases. Proviso against the receipt of Suits when the Supervisor may not have exceeded his authority. Further proviso, in cases where valuable trees are cut down without any reasonable causes. Plaintiff to be nonsuited with costs, if it be proved, that the Collector or Supervisor has rendered adequate indemnification, ...		XIV.	
The Supervisor authorized to employ the Vakeel of Government in the conduct of all criminal prosecutions and civil actions instituted under the provisions of this Regulation. Stamp paper in			

such

	Regulation.	Section.	Clause.
such cases to be supplied on the Supervisor's application, ...		XV.	
ZILLAH JUDGES AND MAGISTRATES.			
Judges and Magistrates empowered to depute their Registers or Assistants to conduct investigations, within their respective jurisdictions, regarding boundary disputes, and to furnish them with suitable instructions, ...	XI.	II.	
Judges and Magistrates may determine what proportion of the deputation charges, shall be paid by the respective parties, ...		III.	
All deputations to be reported to the Secretary to Government in the Judicial Department, ...		IV.	
Similar reports, together with the Judge or Magistrate's proceeding to be communicated to the Provincial Court of the division. Who may revoke the deputation, if it shall be deemed an unnecessary or inexpedient measure. In such cases the Court's proceedings to be transmitted to the Sudder Dewanny or Nizamut Adawlut, for final orders, ...		V.	
Judges and Magistrates to depute their Registers only in cases of urgency, ...			
The parties concerned, or their authorized Agent, and not the established pleaders of the Register's Court, to attend the Register in making local investigations, ...			

A. D. 1824. REGULATION I.

A REGULATION *for enabling the Officers of Government to obtain at a fair valuation, Land or other immoveable property, required for Roads, Canals, or other public purposes, and for declaring in what manner the claims of the Zemindars, and of the Officers in the Salt Department, are to be adjusted in certain Districts, where Lands are required for the purposes of Salt Manufacture:---Passed by the Governor General in Council on the* 8*th January,* 1824, *corresponding with the* 25*th Poose* 1230 *Bengal era; the* 22*d Poose* 1231 *Fusly; the* 26*th Poose* 1231 *Willaity; the* 7*th Poose* 1880 *Sumbut; and the* 5*th Jumadee-ul-awul* 1239 *Higeree.*

Preamble.

WHEREAS the rights and interests of individuals in their respective landed estates, and other property, have been secured to them, by the existing Laws and Regulations; and by the Courts of Justice, established for their administration,

tration :—And Whereas it being necessary occasionally to require the surrender of the property of individuals, for purposes of general convenience to the community, it appears expedient distinctly to define the course of proceeding to be followed in such cases, in order, that works and arrangements of public utility may not be unduly impeded, and that, at the same time, a just and full compensation may be secured to all persons, holding an interest in property so appropriated ;—And Whereas the peculiar circumstances of the lands, required for the purposes of the Salt manufacture in the districts, comprized in the Salt Agencies of the 24-Pergunnahs, Jessore, and Bullooah and Chittagong, and the arrangements concluded with the zemindars at the time when the exclusive manufacture was first established, render it necessary specially to declare the principles on which the claims of the Officers in the Salt Department, and of the zemindars in the said districts, are to be adjusted, on the occupation of land for the purposes of the Salt Department, the following Rules have been enacted to be in force as soon as promulgated, throughout the whole of the provinces immediately subject to the Presidency of Fort William.

When ground wanted, Officers of Government to call on Proprietor to state terms, and any objection to transfer.

II. Whenever it may appear necessary or expedient to appropriate the whole or part of any individual's landed estate, or other immoveable property, or any thing thereunto belonging for the construction of a public road, building, canal, drain, jail, or for any other public purpose, then, if there be any hindrance to the purchase of the said property by private bargain, the Officer entrusted with the execution

of

of such public work, or any other Officer, whom the Governor General in Council may direct, shall proceed to the spot and erect a flag thereon, causing, in cases in which it may be proposed to take land, the boundaries of the land so required to be distinctly marked out; but taking care, at the same time, to do as little injury as possible to the property, he shall then stick up in some convenient and conspicuous place in the vicinity, a notice of the land, or other property proposed to be taken, and the purpose for which it is required, and shall make proclamation by beat of drum, as well on the spot, as in the nearest bazar, gunge, or village, calling upon any person, or persons, claiming a right or interest in the land, or other property to appear in person, or by an authorized agent at a place, to be specified in the notice and proclamation, on or before a given date, not being less than fifteen days, in order to make known the precise nature of the interest claimed, and the terms on which he, or they may be willing to dispose of their respective rights and interests; or if they object to the disposal thereof, to specify the same, through the proper authorities for the information of Government, when the substance of all material information given in after such a notification, shall be submitted by those authorities to the Governor General in Council, together with a report of their sentiments on the case, and of the estimated value of the premises intended to be applied to a public purpose, and of the several interests attaching thereunto.

If parties refuse to dispose of property, Government may direct recourse to be had to arbitration.

III. *First.* If the person, or persons having, or claiming to have a right and interest in the land, or other property, required for a public purpose, or in any part of it, shall object

object to the disposal of the same, or shall demand an exorbitant consideration, for the relinquishment of his or their interest, and the Governor General in Council, after duly considering the objections urged, and the demands made, shall notwithstanding deem it proper on grounds of clear and urgent public expediency, that the property should be so appropriated, he will in either of the cases abovementioned order the election of arbitrators to ascertain and determine the just and full value of the whole of the property, intended to be applied to public use, including the rights of all persons holding a lawful interest therein according to the rules hereinafter contained.

In certain cases, Government may delegate the power of directing a recourse to arbitration.

Second. Provided also, that when any extensive public work shall have been commenced on under the orders of Government, it shall be competent to the Governor General in Council, by an order in Council, to delegate to any Board, Committee, or the like, the duty and power of determining on all objections to the disposal of individual properties, which it may be considered necessary to appropriate for the purpose; and the Board or Committee so empowered shall be competent to issue the requisite orders, for the appointment of arbitrators, for the purposes and in the manner hereinafter provided, without previous reference to Government.

Arbitrators how to be appointed, and how to conduct their enquiries.

IV. *First.* Whenever it may be requisite to have recourse to arbitration, for the purpose stated in the preceding Section, the following Rules shall be observed in the appointment of the arbitrators, and in the conduct of their enquiries.

Second.

Second. Two persons of respectability shall be chosen to act as arbitrators on the part of Government, by the Judge or Magistrate, or Collector of the district, in which the land or other property required for public use may be situated, or such other Officer as the Governor General in Council may commission for the purpose of superintending the arbitration, and the party or parties claiming an interest in the premises proposed to be taken, shall be called upon by the Judge, Magistrate, Collector, or other Officer aforesaid, to elect, within a reasonable time, to be fixed by such Officer, two persons to act as arbitrators on his, or their part. If there be several claimants, and they cannot agree, within the required period, in the election of persons to act as arbitrators on their behalf, then and in that case each of them shall nominate one person, whom he may desire to act on his behalf, and the Judge, Magistrate, Collector, or other Officer aforesaid shall choose by lot out of the persons so nominated by the parties or any of them, two persons to act as arbitrators on behalf of the claimants. If only two persons shall be so nominated, they shall be the arbitrators on behalf of the claimants, whether the whole of the claimants may, or may not have been concerned in their nomination. If only one person shall be so nominated, then only one of the persons selected to act as arbitrators on the part of Government, shall be employed on the duty: If the claimants shall refuse or neglect to make any nomination within the required period, then the Judge, Magistrate, Collector, or other Officer shall, and may select two impartial persons residents of the Purgunnah or other local division, to arbitrate the matter between Government and the parties.

Two Arbitrators on the part of Government to be selected by what Officer.

Parties to be required to elect two Arbitrators, to act on their behalf.

Arbitrators how to be selected out of the Nominees of the parties, if more than two.

Course to be followed, if only two persons be nominated.

If only one person be nominated.

Third.

Declaration to be made by arbitrators.

Third. The arbitrators chosen as above shall be required by the Judge, Magistrate, Collector, or other Officer aforesaid, solemnly to promise that they will faithfully and impartially discharge the trust reposed in them, to which effect they shall sign a solemn declaration. But no corporal oath shall be administered to them.

Umpire how to be chosen.

Fourth. As soon as the said obligation shall be signed and before they proceed to any other duty, the arbitrators shall be required by the Judge, Magistrate, Collector, or other Officer aforesaid, to appoint an umpire for the decision of any points whereon they may differ in opinion, and the voices on each side may be equal. If the arbitrators cannot agree in the selection of an umpire, the Judge, Magistrate, or other Officer commissioned as aforesaid, shall be authorized to choose some respectable and impartial person to act as such.

Functions of the Umpire.

Fifth In cases wherein the arbitrators may differ in opinion, if the voices on each side shall be equal, the decision of the umpire on the point of difference shall be conclusive. In all other cases, the opinion of the majority of arbitrators shall determine the award.

Residing Officer to exercise what powers to secure attendance of the Arbitrators, and completion of the award.

Sixth. The Judge, Magistrate, Collector, or other Officer commissioned as aforesaid, shall be competent to exercise towards the arbitrators, and umpire chosen as above, such powers and authority for the purpose of securing their attendance and the due completion of their award, as the Courts of Judicature may or shall legally exercise towards

persons

persons summoned as witnesses before them for the purpose of compelling them to attend and give evidence. It shall further be competent to the Judge, Collector, or other Officer commissioned as aforesaid, in the event of any unnecessary delay on the part of arbitrators in determining any point referred to them, to call upon them to make their award within a specified time, and in default thereof to refer the matter to the Umpire for his decision.

In what cases may refer the matter to Umpire.

Seventh. The arbitrators shall hold their enquiry, under the general superintendance of the Judge, Magistrate, Collector, or other Officer commissioned as aforesaid.

Arbitrators to act under the Judge, Collector, or Magistrate of the district.

Eighth. The Judge, Magistrate, Collector or other Officer so commissioned, shall afford to the arbitrators all necessary aid and support, for enabling them to accomplish the object of their appointment. He shall, on the application of the arbitrators, summon, and is hereby authorized to summon, any witnesses, whom the arbitrators may call for, and whom the parties may not be able to produce before them, without such process. He shall also cause the proper forms of oath to be administered to, or a solemn declaration in lieu thereof to be executed by any witnesses, whom the arbitrators may desire to examine upon oath, or solemn declaration, or he may empower the arbitrators to administer such oath, or to cause the execution of such solemn declaration in lieu thereof, if the witness cannot, with convenience attend at the sudder station of the Zillah. Any person giving intentionally and deliberately a false deposition on oath, or under a solemn declaration taken instead of an oath, in any case referred to arbitration as above,

Who shall cause Witnesses to attend the Arbitrators.

above, and upon a point material to the issue thereof, shall be held and considered to be guilty of perjury, and shall be liable to the penalties, prescribed for that offence in the Regulations, and any person causing or procuring another person to commit the offence of perjury, as above described, is declared guilty of subornation of perjury, and punishable under the provisions of the said Regulations.

Information to be furnished to Arbitrators by the Officer superintending the execution of the work.

V. When arbitrators may be appointed, it shall be the duty of the Officer employed in the manner, specified in Section II of this Regulation, to lay before them a statement of all claims made to him under the rule of that Section, also to notify which of them remain unadjusted, and to furnish upon requisition of the arbitrators, all information in his power, as to the extent and boundaries of the land, proposed to be taken, the claims attaching to it, the state of possession and the like. Furthermore, in the event of any dispute, arising on any point connected with the extent, boundary, present possession, manner of culture, or of other appropriation of the land, or any portion of it for the time being, it shall be competent to the said arbitrators to cause the land, or other property in question, or any part of it to be measured in their presence, or otherwise in such manner, as they may deem most desirable.

In what cases Arbitrators may measure.

Compensation for lakhiraj land, how to be determined.

VI. *First.* If the land, required by Government be lakhiraj, or for such portion of the land as may be of that description, it shall be the duty of the arbitrators to determine in the first instance what consideration is in their opinion a fair value for the whole property, proposed to be assum-

ed

ed or destroyed in the execution of the public work in hand, or which will otherwise be lost to the owners, or affected by reason of the appropriation by Government.

Arbitrators how to proceed in cases of dispute between parties holding different interests in the land.

Second. If a dispute arise between the owner or owners of the lakheraj tenure on one hand, and the cultivators or renters under him on the other, as to the proportion of such entire value, which each should receive in exchange for the interest claimed, or possessed by him, the arbitrators shall not enter into this part of the case; unless both or all the parties interested shall desire the adjustment of the points in dispute to be made by them at the time. So likewise, if there be more claimants than one to the lakhiraj interest, and it shall be necessary to determine the mode in which the value of that interest is to be apportioned amongst the claimants, such apportionment shall not be made, unless all the claimants sign a written agreement to abide by the arbitrator's adjustment of the same. Any award made by arbitrators after agreement being signed by the parties at issue, shall have effect, and be considered as an award of Court to all intents and purposes; but if no award be made in consequence of the parties not having agreed to abide by such a determination, it shall be open to any one of them to carry the point or points at issue, before the Courts in the usual manner, and if the Government take the lands, tenements, or other property on the terms fixed by the arbitrators, it shall be competent to the Court trying the case, upon due application being made, to order the whole or any part of the value paid by Government to be held in deposit to answer an eventual decree. Provided, however, that nothing herein contained, shall be considered

dered to warrant any alteration being made by any order or decree of Court, in the rate of the consideration, fixed by the arbitrators to be paid by the Government, or the issue of any orders, affecting the possession that may have been assumed by it's Officers, or acts that may have been done by them in consequence of such arbitration.

Adjustment how to be made for land subject to the payment of Revenue.

Third. If the land, proposed to be assumed for the purposes aforementioned be khirajee land, or for so much of it, as may be of that description, it shall be the duty of the arbitrators to determine first the amount of the net rent, which the Sudder Malgoozar may derive from the land, as far as they can ascertain the same; Secondly, the value of any other property, or interest, which the said Malgoozar may possess in, upon or belonging to the land; and Thirdly, the value of any property, or interest, which may be possessed by persons other than the Sudder Malgoozar. They shall, at the same time, state the value of the net rent, derived by the Sudder Malgoozar, and it shall be competent to the Governor General in Council to determine what proportion of the compensation due to that person, for the loss of the said rent, shall be made good in the shape of an annual remission of Revenue, and what shall be commuted for a payment in ready money, to be calculated at the rate assumed in the valuation of the arbitrators. In estimating the net rent, no deduction is to be made from the gross rental of the Sudder Malgoozar, on account of the Government Revenue, with which his estate may be assessed. And it shall be the duty of arbitrators, in fixing the value of the net rent, derived by the Sudder Malgoozar, from the land taken for public purposes, conjointly

conjointly with the value of other interests possessed therein, so to regulate the two, that the whole shall constitute what would have been a fair value for the property, supposing it to have been lakhiraj, and held free of all burthen, or encumbrance, and the arbitrators shall in every case of this description certify at the foot of their report, that the above direction has been observed.

Rights of parties, claiming an interest in land, taken by Government, how to be adjusted.

Fourth. Whenever any revenue deduction may be ordered, it will of course be passed in the revenue accounts to the credit of the muhal, on account of which it may be awarded by the arbitrators, in whosesoever possession the same may be. Should the proprietor of any other muhal claim to participate therein, it shall be open to him to prosecute his claim by suit in Court, against the proprietor of the muhal on account of which it may be paid. Provided, however, that in case any litigation between the proprietors of different muhals claiming to participate in the deduction, awarded by arbitrators, be submitted to their award in the manner above provided for the case of lakhiraj lands, the same when made, shall be binding, and have effect to all intents and purposes, as a decree of Court. So likewise, if there should arise a difference or dispute as to the manner and proportions in which the money compensation to be given by Government upon the occupation for public purposes of khirajee land, shall be divided between the ryots and under-tenants, or between them and the Government malgoozar, or between any other classes of persons claiming to participate; the course shall in all such cases be the same, as is prescribed in the preceding clause of this Section for the case of

lakhiraj

lakhiraj lands, which may have been taken possession of for public purposes by Government, and of disputes, arising in the apportionment of the consideration, adjudged to be paid in consequence.

Arbitrators how to proceed when the possession is doubtful.

Fifth. If the question of possession shall in any case be doubtful, or if there exist other grounds, which, in the judgment of the arbitrators, render it improper to make immediate payment of the compensation awarded by them, or any part thereof, to any of the claimants, it shall be the duty of the arbitrators to certify the circumstance to the Judge, Magistrate, Collector, or other Officer, under whose directions they may act, and in such case the amount, which they may propose to reserve shall be invested in Government Securities, and held in deposit, until one of the claimants shall obtain an order of Court, for the payment of the same. But no dispute touching the property, or possession of land, or other property required for public purposes, nor any flaw in the title of the party, by or from whom it may be transferred to Government, on the award of arbitrators, shall be allowed to defeat, or disturb the title, acquired by Government, and if any person or persons shall sue in any Court of Judicature to recover from Government, damages or compensation for the loss of any such land or other property, such person or persons shall be nonsuited with costs. Provided also, that in cases wherein the possessor and ostensible proprietor of any land, or other property required for any public purpose shall have consented to transfer the same to Government on terms mutually agreed to, it shall be competent to the Governor General in Council or any Board, or Committee, authorized by him in that

Possession by Government of property transferred to it under this Regulation not to be disturbed, or defeated by reason of any matter, touching the right or title of the former occupant.

that behalf, to cause proclamation to be made in the manner prescribed in the Second Section of this Regulation, requiring all persons claiming any right, title or interest in such land or other property, to prefer their claims on or before a certain date; and after such proclamation shall have been made, and the land or other property shall have been transferred to Government, any claim or suit to recover the same, or to obtain from Government compensation for the loss thereof, which may be preferred in any Court of Judicature, shall be dismissed with costs, unless the claim shall have been preferred as required by the said proclamation. But nothing herein contained shall affect the liability of the party, who may receive the value of any land or other property transferred to Government, without having a good title to the same.

Award how to be given by arbitrators.

VII. *First.* On the close of the inquiry, the arbitrators or umpire shall deliver to the Officer commissioned as aforesaid to superintend the arbitration, a full and specific report and award, upon the point or points submitted to their arbitration under their respective signatures, with a solemn declaration subscribed thereto, that the award so given, is, to the best of their judgment, true and impartial, and according to the evidence adduced before them, they shall, at the same time deposit with the said Officer the whole of their proceedings.

Officer receiving award how to proceed.

Second. The aforesaid Officer shall transmit to the Governor General in Council, the report and award so delivered to him with a report, stating the material points thereof and his sentiments, how far the enquiry made by the arbitrators, appears to have been conducted with fairness and impartiality,

partiality, or otherwise, and the said Officer shall be guided by the instructions of the Governor General in Council in regard to the execution of the award, when the same shall have been approved by Government.

Grounds on which alone award shall be impeached.

Third. No award made under this Regulation shall be liable to be reversed or altered, unless the same shall be open to impeachment on the ground of corruption or gross partiality, or shall extend beyond the authority given to the arbitrators, and such ground of impeachment shall be established on a regular suit in the Adawlut.

Surrender of property required for public purposes to be enforced by Magistrate.

Fourth. If, after the award has been given in by the arbitrators, and the Governor General in Council shall have directed the premises to be appropriated for public purposes, the Officer directed to occupy the same shall be opposed, or impeded in taking possession, he shall apply to the Magistrate of the district, to whom it shall and may be lawful to enforce the surrender of the said premises.

Expenses to be paid by Government, in cases referred to arbitration under the above Rules.

Fifth. In cases referred to arbitration, under the provisions of the preceding Sections, any necessary expence, which may attend the enquiry of the arbitrators, whether for the diet of witnesses or otherwise, shall be paid by Government.

The above Rules not applicable to the removal of obstructions to the Navigation of Rivers.

VIII. The Rules contained in the preceding Sections of this Regulation, shall not be held to be applicable to the removal from the bed, or banks of navigable rivers or streams, of trees, broken boats. timbers, or the like, which

may

may obstruct, or be likely to obstruct the navigation of such rivers and streams. Such obstructions may be summarily removed by the Magistrates of the several Cities and Zillahs, or by such other Officer, or Officers as the Governor General in Council may by an Order in Council, vest with the superintendence of any such river or stream, under the laws and usages applicable to the removal of nuisances, and such special provisions as may hereafter be enacted.

The above Rules not to be applicable to lands, required for the use of the Salt Department, unless so expressly provided.

IX. *First.* Since the Revenue, derived by Government from Salt, within the Provinces of Bengal, Orissa and Cuttack is realized, in the form of a monopoly of the manufacture, under a system established in the years 1780 and 1781 and since, in the prosecution of this system, Government have been, in the occupation of certain lands, adapted to the manufacture, and have all along exercised the privileges of assuming what has appeared to be fitted for the purpose, the same being at the time of such occupation wholly, or for the most part, unfit for cultivation, or for yielding profit by any other means, the above provisions shall not be considered to apply to the case of these lands, except in so far as they may be specially declared to extend to them in this or any future Regulation.

Rules for the adjustment of relative rights of the Zemindars, and the Officers of the Salt Department, founded on the result of a special enquiry.

Second. An investigation having been instituted, under the Orders of the Governor General in Council, with a view first to determine the character of the remissions of the land revenue allowed annually, from the time of the establishment of the present system of manufacture, to certain zemindars in the districts, comprized in the Salt Agencies of the 24-Purgunnahs, Jessore,

Bhulooah,

Bhulooah, and Chittagong; and secondly, to settle the claims of the zemindars, and the Officers of the Salt Department at the Agencies in question, repectively on each other. The following Declarations and Rules calculated for all results of such investigation are hereby made and enacted, and the Courts of Civil Judicature, the Officers of the Salt and Land Revenue Departments, and all other public authorities are to be by them guided in their determination of any question, that may arise as to the right of the Officers of the Salt Department to occupy Salt lands, or other lands, required for the purposes of the Salt Manufacture, and the rate of compensation to be paid for the same.

Khalaree remissions granted on the first establishment of the monopoly, on what principle allowed.

Third. The principle upon which remissions were originally made, from the juma of zemindars, on account of khalaree rents, or the like, upon the assumption of the Salt Muhal, is hereby declared to have been to relieve those to whom they were granted from an assessment upon assets, which were transferred to Government on the establishment of the system of exclusive manufacture, with the rights and interests attached to the possession of the muhal.

To be continued in perpetuity.

Fourth. All zemindars or others, whose claims to remissions were allowed in the first instance, that is, on account of rents collected by them, previously to the year 1188 B. S. shall be considered to fall within the class of land renters, who received an abatement of what they then ceased to collect, upon the principle above laid down, consequently it is hereby declared, that the sums remitted to them will be allowed in perpetuity.

Fifth.

Fifth. The Collectors of Land Revenue, and the Board are prohibited henceforward from receiving any applications to obtain credit in the land revenue collections for any amount, claimed as due for khalaree rent, and from allowing of any abatement, or remission whatever from the land revenue juma, except the specified remissions allowed on account of rents collected previously to 1188, or such other as may be hereafter ordered by the Governor General in Council.

No further remissions or abatements on account of Salt or Fuel land to be allowed without authority of Government.

Sixth. Any land revenue engager, who may prefer a claim to receive rent for khalaries now worked, or for what may be so henceforward, or for any that have been worked, and for which the rent of past years may be claimed to be due, shall be desired to make application to the Salt Agent to have the same adjusted on the principles declared hereafter.

Claims by zemindars to khalaree rents, how to be prosecuted.

Seventh. The remissions allowed on account of rents collected previously to 1188, will still be retained on the Revenue Books, and will be carried to the debit of the Salt Department, but the levy of khalaree rents, bara kursa, or the like, from the Molungees, will be entirely discontinued and the impost abolished from the commencement of the next Salt year, save and except in cases wherein it may be otherwise specially ordered by the Governor General in Council, and henceforward any gomastah or other person attempting to enforce the impost, or demanding it in any shape without special authority from Government, shall, on proof to the fact before the Agent, be immediately dismissed.

Collection of khalaree rents from molungees, unless where authorized by Government to be discontinued.

Eighth.

Also Tax on Fuel.

Eighth. The levy of Goorkatee by the Officers of Government from the Molungees, or of any other similar tax on the privilege of cutting jungle for fuel, to be used in the manufacture of Salt, shall in like manner, and, with the like exceptions be henceforward discontinued, whether the same be levied as an impost due to Government or otherwise.

Contracts for the manufacture of Salt, what to specify.

Ninth. All future contracts for the delivery of Salt in return for advances received, shall, as far as practicable, specify distinctly the proportion of the aggregate price paid by Government, which may be allowed to cover the expence of fuel, and shall otherwise be rendered as specific as possible, with a distinct declaration of the amount to be paid to the Molungees without impost or deduction on any account whatever, unless when otherwise specially authorized by Government.

Agents to ascertain and record in whom the property of Salt lands is vested.

Tenth. It shall be the duty of the Agents to ascertain and record at the time of making the advances next season, or as soon after as may be practicable, in whom the property of the Khalaries and Salt lands within their respective divisions, is vested.

What lands to be considered as held by the Officers of the Salt Department free of rent under a perpetual tenure, and to be eventually liable to assessment by the Revenue authorities.

Eleventh. Salt lands worked by the Salt Department, from the time of the assumption of the monopoly to the present day, or otherwise assumed and held before, and since the perpetual settlement (although originally belonging to an estate, for which a permanent settlement has been formed) shall be considered to be held by the Officers of the Salt Department free of rent under a perpetual title of occupancy,

and

and shall be considered to be, and to have been liable to assessment by the Revenue authorities, when relinquished by the Officers of the Salt Department, in the same manner as if they had been farmed by an individual from Government, and had become open to re-settlement on the expiration of his lease.

Twelfth. Salt lands, upon which Salt works have been established, whether before or after the perpetual settlement shall, provided they have been worked for twelve years, without claim on the part of any one to receive a rent or compensation for the use of the same, be deemed to be the absolute property of Government.

What lands to be considered as the property of Government.

Thirteenth. Salt lands, upon which Salt works were established after the perpetual settlement, and for the use of which a rent or consideration may be now paid to individuals shall, until otherwise determined by a decree of Court, be deemed to be the property of the said individuals, who for so long as the lands may be occupied by the Salt Department shall receive the same rent as they received for the use of the same in the past year. The rent is to be paid in money, and to be charged in the Salt Agent's accounts, amongst other expences of the manufacture, without any demand being made on the contractors or Molungees on account thereof unless otherwise specially authorized. This payment is to continue as long as the Salt Department shall retain possession of the lands, and to cease when those lands shall lose their saline quality, and be given up by the Salt Agents. Provided, however, that nothing in this Clause shall be construed to preclude the Revenue Officers from proceeding under

What lands to be considered as belonging to individual proprietors.

Rents how to be paid.

der the Rules of Regulation II. 1819, to assess the lands so occupied by the Salt Department, if the same be chargeable with Revenue on account of the rent paid by that Department, or the collections otherwise made by the party claiming to be proprietor.

Salt lands, how to be occupied by Officers of Salt Department.

X. *First.* 'Salt lands may be occupied as heretofore by the Officers of the Salt Department, an adequate compensation being made to the proprietors if the lands be private property—the Salt Agent on taking possession of any such land shall notify the circumstance by causing a flag to be exhibited on the spot, and by publishing an Ishtahar, defining as accurately as possible, the situation and limits of the land occupied by him,—such Ishtahar to be stuck up in the Collector's cutcherry, and the Agent's own Office, and persons claiming to be proprietors of such land, who may neglect or delay to prefer such claims, shall not be held entitled to any arrears of rent beyond the year in which their claim may be afterwards preferred.

Claims to lands so occupied how to be prosecuted and adjusted.

Second. 'Upon any zemindar preferring a claim to property in lands occupied for the Salt manufacture, and for which no rent, or consideration shall have hitherto been paid to any individual, the Salt Agent and Collector, or both; where the two Offices may be held separately, shall either proceed in person, or depute a substitute or substitutes, being if possible, European public Officers to determine by enquiries on the spot, how far, with reference to the principle laid down in Section III. Regulation II. 1819, the Chur or other Salt land is part of the zemindar's assessed estate. The Collector

Collector will, at the same time, call upon the zemindars to produce any evidence or documents on which he may rely in proof of his claim, and shall regularly enter the same on the proceedings, together with a statement of the fact, established by the local enquiry (whether conducted by the Collector himself, or by an Officer specially commissioned,) and shall finally record his own opinion on the case in a Persian or Bengally roobukaree. If the Collector shall be satisfied, that the land in question is part of the zemindar's estate, he shall adjust, subject to the instructions of the Board of Revenue, the consideration to be paid by the Salt Department for the use of the Chur or other Salt land, carefully specifying the extent and limits of the same. If the zemindar shall not agree to the terms proposed by the Collector, the amount of rent or compensation to be paid shall be settled under the Rules above enacted, for settling generally the course to be followed in effecting a constrained transfer of private property for public purposes, reference being had to any injury the zemindar may sustain by having the manufacture conducted on his estate, as well as to any profit he might otherwise derive from the land. If the Agent shall consider the amount awarded to the zemindar to be too great, he shall nevertheless pay it for the first year, and may then remove. If the Agent shall agree to the award, the same rate will be paid annually during occupancy without reference to what may be the subsequent extent of the manufacture, or to the quantity of land comprised in the Chur.

Third. If on a claim being preferred as above by a zemindar,

What course to be followed if land claimed by zemin-

dar, shall appear to Collector to belong to Government.

zemindar, the Collector shall be of opinion that the Chur or Salt land belongs to Government, he shall nevertheless proceed to adjust with the Agent the amount of rent, to be paid by the Salt Department for the use of it, and will in this case transmit his proceedings to the Board for their decision on the zemindar's claim. Provided also, that in cases in which the Collector may decide in favor of the zemindars, it shall still be competent to the Board to call for his proceedings, and to pass judgment on the claim, whenever from the representation of the Salt Agent, or otherwise they may see reason to think the decision of the Collector erroneous. The decision of the Revenue authorities, when in favor of Government, will be of course liable to be contested by suit in Court. If the property in any land occupied, as aforesaid, shall be decreed to the claimant, he will become entitled to the rent with which the Revenue authorities may have charged the Salt Department: and if he be dissatisfied with the rent so fixed, the amount to be received by him shall be settled by arbitration in the manner hereinbefore provided for the adjustment of the compensation to be paid for land taken for public purposes. But in such case the possession of the Salt Agent shall not be disturbed so long as he shall discharge the rent awarded to the proprietor.

Pending claims how to be adjusted.

Fourth. The same mode of adjustment shall be observed in regard to all claims now pending for compensation for the use of Salt lands, but no remission of Revenue shall be granted on this or the like account.

Rent of land occupied by Salt Department, when to cease.

XI. The rent of land occupied by the Salt Department shall

shall be payable, unless otherwise specially settled, by the Bengal year, and whenever a Salt Agent shall see fit to remove from any Salt lands occupied by him, he shall cause the flag to be withdrawn within one month, after the expiration of the manufacturing year, and shall further give notice of his intention to do so by an Ishtahar, published in the mode directed to be followed on the first occupation of Salt lands, such notice to be given before the commencement of the ensuing Bengal year; and if any Agent shall neglect to give due notice as aforesaid, and shall not be otherwise able clearly to shew that the owner of the land occupied by him was fully apprized of his intention to quit previously to the expiration of the last year of his occupancy, then the owner shall be entitled to recover damages to the extent of one year's rent of the land, but shall not have any further claim on the Agent, or Government, on account of arrears of rent, unless such arrears shall be due on account of years included in the term of a specific engagement.

Cultivation of Salt Churs without permission of Board of Customs, Salt and Opium, prohibited.

XII. No cultivation shall be allowed within the limits of any Chur or other lands transferred to the Salt Department, unless with the permission of the Board of Customs, Salt and Opium, so long as the manufacture shall be continued on the same, and it shall and may be lawful for the Salt Agent, and his subordinate Officers to attach, confiscate, and dispose of, as may be directed by the Board, any crops grown on such land in contravention of this Rule, and to require the Police to aid him in doing so. And any person illicitly cultivating, clearing, or ploughing such land, or doing

any

any act preparatory to it's cultivation and clearance, or causing another to do so, shall, on conviction before a Magistrate, be subject for every such offence to a fine not exceeding five hundred rupees, besides being liable in a civil action for any damage which the Salt Department may sustain. Provided, however, that if any Chur or other Salt land occupied as above shall become thro' natural causes, useless for the purposes of the Salt Department, the proprietor thereof shall be entitled to recover possession of the same on establishing the fact to the satisfaction of the Board of Customs, Salt and Opium, or by a regular suit in Court, and on relinquishing the compensation paid to him by the Salt Agent for the use of the land.

Churs and Salt lands not belonging to individuals, how to be held by the Officers of the Salt Department.

XIII. Churs and Salt lands, now occupied by the Salt Department, and for which no compensation may be now paid or be hereafter adjusted to be due, as well as all such Churs and Salt lands as may be declared to be the property of Government, shall be held by the Salt Agents under regular puttas from the Collector, containing as accurate a specification as possible of the extent and limits of the land. All such lands shall upon their losing their saline quality, and becoming unfit for the Salt manufacture, be made over to the Collector, and if cultivation be found in such Churs or lands before or after the Officers of the Salt Department may have relinquished them, it shall at any time be competent to the Collector to cause a settlement to be made on the part of Government with the actual cultivators, without reference to the pretension of any one else to take the rents from these. In like manner the Revenue authorities may sell the

the Government interest in such lands, or let them in farm with such assessment, as it may appear proper to impose.

XIV. *First.* The following Rules are enacted for the purpose of defining and settling the relative rights of Government and of the zemindars in regard to the waste lands whence fuel is procured for the Salt manufacture, with reference to the principles on which the monopoly was established at the period abovementioned and the practice since followed.

Rules for settling the relative rights of zemindars and Government in respect to fuel lands.

Second. In cases wherein no engagements may have been entered into, for specific lands with ascertained limits, the Salt Department shall be considered to have the right of free fuel from all jungle or waste land lying within estates, the owners of which are allowed a remission of Revenue, or receive rent from, or on account of the Salt Department, to the full extent of the manufacture now established so long as the said remission and rent shall continue to be allowed and paid. Fuel required for new or additional khalaries is to be procured by agreement with the owner, or cut from land the property of Government.

Where no specific engagements exist, the Salt Department shall be held to be entitled to free fuel, to the extent of the existing manufacture from waste land within estates, of which the owners receive remissions.

Third Nothing contained in the above Clause shall be construed to affect the rights of Government in land specifically reserved for the supply of fuel, nor shall the above provision be construed to authorize the Officers of the Salt Department to prevent the cultivation of waste or jungle land, unless the same shall have been reserved under specific engagements.

The above provision not to affect rights specifically reserved, nor to entitle the Officers of Salt Department to prevent cultivation.

gagements. If it be required to reserve any fuel lands beyond those already reserved for the use of the Salt Department, an arrangement must be made for the purpose with the proprietors of the land, or measures taken for effecting the transfer of them to Government as hereinafter specified.

In what cases recourse shall be had to the proceeding specified in Section IV.

Fourth. If any zemindar shall refuse to allow the Salt Officers to take on reasonable terms the fuel required by them from the jungle lying within his estate, such fuel not being demandable, under the Second Clause of this Section, the necessary fuel shall be taken, and a just compensation settled under the Rules prescribed in the third, and four following Sections of this Regulation. The same course of proceeding shall be followed in cases in which the interest of the Salt Department shall render it necessary to reserve any parcel of fuel land, and the owner thereof shall refuse to surrender it on equitable terms.

Declaration as to the extent of privilege secured to the Salt Department by remissions granted on account of collections made previously to the Bengal year 1188, in cases wherein further rents, or remissions may have been granted.

XV. In cases wherein any rent or remission may have been paid or allowed to any zemindar or other proprietor of land, in addition to the remission granted on account of khalaree rents, collected previously to the Bengal year 1188, the receipt of the remission last mentioned shall be held only to bind the zemindar or other proprietor of land receiving the same, to allow the right of free fuel to the extent of the manufacture established in the year aforesaid; and on the other hand, the Government shall not be bound to continue any rent or remission now paid or allowed in addition to the remission granted as aforesaid, if the manufacture shall be reduced to the standard of the said year, but on the discontinuance

discontinuance of the khalarees established since that period, or on the reduction of the extent of manufacture to the standard of the said year, Government shall be entitled to discontinue any rent or remission paid or allowed on account of such khalaree, and further shall be competent to cause a new adjustment to be made of the rent or remission to be hereafter paid on account of khalarees established since the year abovementioned.

A. D. 1824. REGULATION II.

A REGULATION *for abolishing the Furruckabad Mint, and for modifying some of the Rules in force relative to the Furruckabad Rupee;*—PASSED *by the Right Honorable the Governor General in Council on the 5th February* 1824, *corresponding with the 24th Maug* 1230 *Bengal era; the 20th Maug* 1231 *Fusly; the 25th Maug* 1231 *Willaity; the 5th Maug* 1880 *Sumbut; and the 4th Jumadee-us-Sance* 1239 *Higeree.*

Preamble.

WHEREAS provision has been made by Regulation XXVI. 1817 for the coinage of the Furruckabad Rupee, at any of the Mints established by Government: and it appears to be no longer necessary to continue the Mint at Furruckabad for the coinage of the said Rupee;—And Whereas it is expedient to modify the existing Rules relative to the currency of Furruckabad Rupees, in conformity with the principle already applicable to the Calcutta Sicca Rupee, under

der the provisions of Section I. Regulation XIV. 1818, the following Rules have been enacted to be in force from the date of their promulgation.

The Mint at Furruckabad abolished.

II. The Mint established at Furruckabad under Regulation XLV. 1803, shall be abolished; and all Rules which require or can be construed to require, that any Money or Bullion shall be sent to or received for coinage at the said Mint, are hereby rescinded:—Provided, however, that all persons, who, previously to the promulgation of this Regulation, may have brought coin or bullion to the said Mint for coinage, shall be entitled to receive the produce thereof under the Rules of Regulation II. 1812, or an equivalent sum.

Proviso in regard to coin or bullion brought to the Mint at Furruckabad for coinage, previously to the promulgation of this Regulation.

Furruckabad Rupees, and Half and Quarter Rupees, to be still receivable in all public and private transactions, if not below a certain weight.

III. In modification of the Rules contained in Sections XXXIII. and XXXV. Regulation XLV. 1803, it is hereby enacted that all Furruckabad Rupees, and Half and Quarter Rupees, shall be receivable in all public and private transactions, if, when separately weighed, the deficiency in point of weight be not more than two pies, or grains Troy 1. 875 per Rupee.

A. D. 1824. REGULATION III.

A REGULATION *to empower Government to extend the Jurisdiction of Registers in certain cases.—Passed by the Governor General in Council on the* 12*th February* 1824, *corresponding with the* 1*st Phaugun* 1230 *Bengal era; the* 27*th Maug* 1231 *Fusly; the* 2*d Phaugun* 1231 *Willaity; the* 12*th Maug* 1880 *Sumbut; and the* 11*th Jumadee-us-Sanee* 1239 *Higeree.*

Preamble.

By the Provisions of Regulation II. 1815, it is made competent to the Governor General in Council, to invest a Register stationed at a place not being the station of the Zillah or City Dewanny Adawlut, with original jurisdiction in the cognizance and trial of summary suits originating in portions of districts different from the district to which such Register may stand appointed.—With a view to the farther relief of the Judges of the Zillah and City Courts from the arrears of business depending before them, it is expedient to make it competent to the Governor General in Council to extend the jurisdiction of such Registers in regular suits.

The

The following rules have accordingly been enacted to be in force from the period of their promulgation throughout the provinces immediately subject to this Presidency.

Registers may be empowered to investigate regular suits arising in any portion of any district, in which he may exercise the powers of Joint Magistrate.

II. *First.* It shall be competent to the Governor General in Council to extend the jurisdiction which may be vested in a Register, with regard to the cognizance and trial of regular suits under the Provisions of Regulation XXIV. 1814, Sections XI. XII. and XIII. Regulation II. 1821, and the other rules in force upon the subject, to those portions of other districts in which such Register may be authorized to exercise the powers of Joint Magistrate.

Provisions in the existing Regulations, applicable to such suits.

Second. The provisions contained in the existing Regulations for the guidance of Registers stationed at a distance from the Sudder station, shall be equally applicable to the trial and decision of suits which may be instituted before them or referred to them under the foregoing Clause.

Reports to be furnished by such Registers to the Judge of the Zillah or City within whose jurisdiction the suit may have originated.

Third. All periodical and other reports prescribed by the Regulations, or the order of the Sudder Dewanny Adawlut, shall be furnished by such Registers, to the Judge of the Zillah or City Courts within whose jurisdiction such suits may have originated.

A. D. 1824. REGULATION IV.

A REGULATION *to provide more effectually for the Office of Register of Deeds.—Passed by the Governor General in Council on the* 12*th February* 1824, *corresponding with the* 1*st Phaugun* 1230 *Bengal era; the* 27*th Maug* 1231 *Fusly; the* 2*d Phaugun* 1231 *Willaity; the* 12*th Maug* 1880 *Sumbut; and the* 11*th Jumadee-us-Sanee* 1239 *Higeree.*

Preamble.

BY Section XV. Regulation XXXVI. 1793, and the corresponding provisions in Regulations XXVIII. 1795. XII. 1805. and XVII. 1803, for Benares, Cuttack and the Ceded and Conquered Provinces, the Zillah and City Registers who are also Registers of Deeds, under those Regulations, are permitted, in case of absence from their stations, sickness, or any other disqualification from personal attendance, to appoint (with the approbation of the Judge to whom they may be Registers respectively) a deputy, being a covenanted servant of the Company, to act for them in the registry of Deeds; and such

such deputy, so appointed and approved, after taking a similar oath to that prescribed for the Register, is authorized to perform the several acts which the Register is empowered to perform, under the Regulations abovementioned, and such as have been since enacted relative to the registry of Deeds; but much inconvenience has been experienced by the community in consequence of Registers, who may be on leave of absence, on deputation, or otherwise disqualified, omitting to appoint a deputy, in the mode prescribed; and also in consequence of occasional vacancies in the office of Zillah or City Register, in which case no provision is made by the existing Regulations for the performance of the duty of Register of Deeds. With a view therefore to provide against the recurrence of such inconvenience, and to supply what is defective in the existing Regulations, the following rules have been enacted, to be in force from the date of their promulgation, in the provinces immediately subject to the Presidency of Fort William.

The office for the Registry of Deeds to be established at the Sudder station of the Zillah or City Court.

II. The office for the registry of Deeds in the several Zillahs and Cities, which is provided for by Regulation XXXVI. 1793, extended to Benares by Regulation XXVIII. 1795, and to Cuttack by Section XXXII. of Regulation XII. 1805, and re-enacted for the Ceded Provinces in Regulation XVII. 1803, extended to the Conquered Provinces and Bundlekund by Clause First, Section XVII. Regulation VIII. 1805, shall, in all cases be established at the station of the Zillah or City Court, and shall, as directed by the Regulations abovementioned, be superintended by the Register of the Zillah or City Court, or where there may be more Registers than one, by the Register employed at the station

Superintended by the Register.

If there be more than one Register by the Register employed at the Sudder station.

station of the Zillah or City Court, so long as he may continue to reside at such station, and as already required by the Regulations in force, he shall personally discharge the duties of the office committed to him, whilst present at the station, unless prevented by sickness, or otherwise; in which case, as well as in all cases of temporary absence from the station, he is permitted, as heretofore, with the approbation of the Judge of the Zillah or City Court to which he may be attached, to appoint a deputy, being a covenanted servant of the Company, and duly qualified to act for him; who after taking an oath, similar to that prescribed for the Register of Deeds, is authorized to perform the several acts which the Register is empowered to perform.

If the Register be prevented from performing this duty by sickness, &c. may appoint a Deputy.

With approbation of the Judge.

Deputy to be a Covenanted servant.

Must take oath.

III. Whenever a Zillah or City Register vested with the superintendence of the Registry Office, may be absent from the station where the office is established without having appointed a deputy, in pursuance of the foregoing Section, the Judge of the station is hereby authorized to appoint some duly qualified covenanted servant of the Company to act as Deputy Register of Deeds, and the Deputy so appointed, after being duly sworn, shall be authorized to perform the prescribed duties of the office.

If Register vested with superintendence of the office be absent from Sudder station, and have not appointed a Deputy, the Judge authorized to appoint a Deputy.

IV. It shall moreover be the duty of the Zillah or City Judge to appoint a qualified person, being a covenanted servant of the Company, to officiate as Register of Deeds, whenever, from a vacancy in the office of Register, the nomination of a deputy cannot take effect agreeably to the preceding Section.

Judge shall appoint a qualified person being a covenanted servant to act as Register of Deeds, when from a vacancy in an office of Register, a deputy cannot be appointed.

V.

If there be no qualified person at the station, the Judge is authorized and required to perform the duty himself.

V. In the event of there being no covenanted servant at the station, to whom in the cases mentioned in the two preceding Sections, the Judge may deem it proper to confide the office of registering deeds, he is himself hereby authorized and required to perform the prescribed duties of the office.

Registry of Deeds hitherto duly executed by other covenanted servant than the Register, with the permission of Judge, in absence of Register, equally valid, as if executed by Register.

VI. The registry of all Deeds which may have been hitherto duly executed by a Zillah or City Judge, or other covenanted servant, with his sanction, in the absence of the Register, is hereby declared to be of equal validity, as if it had been executed by the Zillah or City Register.

Deputy or Acting Register to receive the fees.

VII. The deputy or officiating Register appointed under Sections II. III. or IV. of this Regulation shall receive during the time of his officiating, the fees authorized by the Regulations; but whenever the Judge may perform the duty, under Section V. the net amount of such fees after defraying the necessary expence of the establishment, shall be carried to the credit of Government.

Fees to be carried to the credit of Government when the Judge registers deeds after defraying the necessary expence of the establishment.

A. D. 1824. REGULATION V.

A **REGULATION** *for extending the operation of Regulation VI.* 1823, *to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces.—Passed by the Governor General in Council on the 4th March* 1824, *corresponding with the 22d of Phaugoon* 1230 *Bengal era; the* 19*th Phaugoon* 1231 *Fusly; the* 23*d Phaugoon* 1231 *Willaity; the* 3*d Phaugoon* 1880 *Sumbut, and the* 2*d Rujeeb* 1239 *Higeree.*

Preamble.

WHEREAS it has been deemed expedient to extend to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces the operation of Regulation VI. 1823, entitled "a Regulation for authorizing the institution of Summary Suits, to enforce the execution of certain written engagements for the cultivation and delivery of Indigo plant, and for declaring certain principles in regard to the same," the following rule has been enacted to take effect

effect in the provinces above enumerated from the date of the promulgation of this Regulation.

Regulation VI. 1823, extended to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces.

II. The operation of the provisions of Regulation VI. 1823, is hereby extended to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces.

A. D. 1824. REGULATION VI.

A REGULATION *for defining the course of proceeding to be pursued by the Magistrates with respect to Individuals charged before them with two or more offences in certain cases; for modifying Clause Second, Section II. and for amending certain other provisions of Regulation XII.* 1818:—PASSED *by the Governor General in Council on the 25th March* 1824, *corresponding with the* 14*th Chyte* 1230 *Bengal era; the* 10*th Chyte* 1231 *Fussily; the* 15*th Chyte* 1231 *Willaity; the* 10*th Chyte* 1880 *Sumbut; and the* 23*d Rujeeb* 1239 *Higeree.*

WHEREAS it appears requisite to define the course of proceeding to be pursued in cases of individuals charged before a Magistrate with two or more offences of the nature described in Clause Fourth, Section II. and Clause Fourth, Section III. Regulation XII. 1818, for each of which they would be liable to the punishment prescribed in Clause Fifth, Preamble.

Section

Section II. and Clause Fourth, Section III. of the above Regulation; and Whereas it appears expedient to authorize the Magistrates to commit persons charged with the offence of burglary, (as they are now authorized in cases of theft) to take their trial before the Court of Circuit whenever they may appear to the Magistrate to be deserving of a severer punishment than he is authorized to inflict, although none of the circumstances of aggravation enumerated in Clause Second, Section II, of the above Regulation may exist; and Whereas it appears expedient to amend certain other provisions of that Regulation, the following rules have been enacted to be in force from the promulgation of them throughout the territories immediately dependent on the Presidency of Fort William.

No sentence to be passed by Magistrate on individuals charged with two or more distinct offences punishable under Sections I. II. & III. Regulation XII, 1818, until the proceedings in both cases are completed.

II. *First.* Whenever a prisoner may be charged before a Magistrate or Joint Magistrate with two or more distinct offences, for neither of which he may have been previously brought to trial; but for each of which he would be subjected, on conviction, to the penalties prescribed by Clause Fifth, Section II. or Clause Fourth, Section III. Regulation XII. 1818, the Magistrate shall refrain from passing any sentence until he shall have completed his proceedings in both cases.

On conviction of two or more charges, Magistrate may pass sentence of punishment to the extent authorized for one, if such punishment appears sufficient.

Second. Should the prisoner be convicted of two or more of the offences charged, the Magistrate is authorized to reduce the punishment so as not to exceed in the aggregate thirty stripes with a ratan and imprisonment for the term of two years, provided he shall be of opinion, on consideration of the several acts of criminality established against the prisoner

and

and the circumstances of each case, that the punishment above specified is sufficient.

Third. If however the Magistrate should be of opinion that the prisoner is deserving of a more severe punishment than that above specified, he shall refrain from passing any sentence, and shall commit the prisoner to take his trial before the Court of Circuit for each offence.

If not sufficient, the Magistrate to commit the prisoner to the Court of Circuit for trial for each offence.

III. In modification of Clause Second, Section II. Regulation XII. 1818, the Magistrates are hereby declared to be empowered to commit for trial to the Court of Circuit any person charged with the offence of burglary, whenever they may be of opinion, that there exist any circumstances of aggravation (though not of the nature specified in the Clause above quoted) such as to render the prisoner deserving of a more severe punishment than the Magistrates are competent to inflict.

Clause Second, Section II. Regulation XII. 1818, modified.

IV. A doubt having arisen whether the amendment of Section III. Regulation XII. 1818, contained in Section IV. Regulation IV. 1820, in cases of theft, when the amount or value stolen shall exceed the sum of three hundred Rupees, was meant to be applied to purchasers or receivers of stolen property, in amendment of the Second Clause of Section IV. Regulation XII. 1818, it is hereby declared that the provision for commitment to the Court of Circuit, contained in Section IV. Regulation IV. 1820, is applicable to purchasers and receivers of stolen property, knowing at the time that such property was stolen, when the amount or value of the property stolen shall exceed three hundred Rupees.

Section IV. Regulation IV. 1820, applicable to purchasers and receivers of stolen property when the amount or value stolen, shall exceed three hundred Rupees.

V.

*Sections II. III. and IV. of Regulation XII. 1818, amended.

V. It is further declared, in amendment of the provisions for commitment to the Court of Circuit, contained in Sections II. III. and IV. of Regulation XII. 1818, that a previous conviction of petty theft, not exceeding ten Rupees, when unattended with any aggravating circumstance, shall not be deemed a previous conviction of a heinous crime, such as precludes the Magistrate's judicial cognizance of a charge of burglary or theft, or of buying or receiving stolen property and requires that the prisoner be committed for trial before the Court of Circuit, in any of the Sections abovementioned.

A. D. 1824. REGULATION VII.

A REGULATION *for explaining and amending certain parts of the Regulations at present in force, respecting the manufacture and sale of Spirituous Liquors and Intoxicating Drugs, and for enacting certain Rules for the better security of the Revenue derived from the exclusive manufacture and sale of Opium*:—PASSED *by the Governor General in Council on the 25th March* 1824, *corresponding with the* 14*th Chyte* 1230 *Bengal era*; *the* 10*th Chyte* 1231 *Fussily*; *the* 15*th Chyte* 1231 *Willaity*; *the* 10*th Chyte* 1880 *Sumbut*; *and the* 23*d Rajeb* 1239 *Higeree.*

WHEREAS doubts having arisen whether the Rules prescribed in Regulation X. 1813, are applicable to the retail sale of Spirits imported by Sea, or manufactured in this Country at Distilleries worked according to the European process

Preamble.

process, it is advisable that such doubts should be removed; and whereas it is also deemed expedient to make certain alterations in the Rules at present in force respecting the manufacture and sale of Spirituous Liquors and Intoxicating Drugs; and whereas the existing provisions for the security of the Revenue derived from the exclusive manufacture and sale of Opium, and for the realization of the Custom duty chargeable on Foreign Opium imported by Sea, have been found insufficient; the following Rules have been passed, and are to be in force from the date of their promulgation throughout the territories immediately dependent on the Presidency of Fort William.

The retail sale of Spirits, Wines and all kinds of fermented Liquors, except under a Collector's license, declared to be illegal and subject to penalties.

II. *First.* It is hereby declared and enacted that the retail sale of Spirituous Liquors, whether imported by sea, or land, or manufactured in this Country, by whatever process, except under licenses from a Collector, or Assistant Collector, or other Officer duly authorized to grant such license, is and shall be considered to be illegal, and the Rules of the existing Regulations, whereby certain penalties are prescribed for the illicit sale and manufacture of Spirituous Liquors, shall be held to be equally applicable to all descriptions of Spirits, unless otherwise specially provided. In like manner the retail sales of Wines, or fermented Liquors of any description, except under license, is hereby prohibited, under pain of the same penalties, as are prescribed for the illicit sale of Spirituous Liquors.

Persons not being British born Subjects prohibited from con-

Second. Persons not being British born subjects shall not construct, or work a Distillery of whatever description within

within the said Territories, nor sell within the same, Spirits or Wines of any kind, whether imported by sea or land, or manufactured in the Country, without a license from the Collector of the district, or other Officer in charge of the Abkarry Mehal.

structing or working distilleries, and from selling Spirits, Wines, &c. without a license.

Third. In like manner persons being British born subjects, shall not construct or work a Distillery of any description at a distance, exceeding ten miles from the Town of Calcutta, nor retail Spirits or Wines of any kind in any part of the Territories dependent on this Presidency, without a license from the Collector of the district, or other Officer in charge of the Abkarry Mehal, or specially appointed by Government to collect the duties chargeable on Spirits manufactured by the said persons.

British born Subjects prohibited from constructing or working a Distillery at more than ten miles from Calcutta, and from retailing Spirits, Wines, &c. in any part of the country without a license from the Collector of the district.

Fourth. British born subjects who may work or construct a Distillery after the manner in which Distilleries are constructed and worked in England, at any place, of which the distance from Calcutta may not exceed ten miles, shall continue and are hereby declared to be subject to the Rules contained in Regulation II. 1802. Provided, however, that it shall at all times be competent to the Governor General in Council, by an order in Council, to invest such person or persons as may be judged proper with the powers and authority, which, under that Regulation, belong to the Justices of the Peace acting in and for the 24-Pergunnahs, and the districts adjacent to Calcutta.

Such persons constructing or working a distillery in the European manner within the limits above specified, to continue subject to the Rules contained in Regulation II. 1802.

Proviso.

Fifth. All persons not being British born subjects who

Distillers to pay the prescribed still head

duty to the Collector &c. in charge of the Abkarry Mehal.

who may construct or work Distilleries as aforesaid at any place whatsoever, within the Provinces subordinate to this Presidency, as well as all British born subjects who may construct or work such Distilleries at any place, of which the distance from the Town of Calcutta may exceed ten miles, shall pay the still head duty, prescribed by the said Regulation to the Collector or Officer in charge of the Abkarry Mehal, or such other Officer as the Boards of Revenue may direct to adjust, or receive the same, and the powers vested by the said Regulation in the Justices of the Peace, acting in and for the districts aforesaid, in regard to Distilleries constructed or worked as aforesaid, beyond the limits aforesaid, are hereby vested in the Collectors and other Officers in charge of the Abkarry Mehal for their respective districts.

Collectors, &c. authorized to exercise the powers vested by Regulation II. 1802, in Justices of the Peace.

Proviso in cases where it may be deemed necessary to suspend the operation of particular Rules.

Sixth. Provided however, that when from local circumstances or other sufficient cause, it shall appear to be expedient to suspend the operation of any part of the Rules contained in Sections IV. V. VI. VII. VIII. X. XI. XII. XIII. and XIV. of the aforesaid Regulation, with a view to the relief of the Distillers from unnecessary interference, it shall be competent to the Governor General in Council, by an order in Council, to direct the said rules, or any part of them to be suspended for such period as may from time to time appear proper, and in lieu thereof to prescribe such other rules relative to the payment of the duty chargeable to the passing and storing of the Spirits manufactured, and of the stills, coppers, casks, and other utensils employed in the Distillery, to the inspection and examination of the Distillery, and the

And power reserved to substitute such other rules as may from time to time appear expedient.

the warehouses, godowns or other places used for manufacturing or storing the spirits, and to the furnishing of periodical statements and lists of the spirits and utensils aforesaid, as may from time to time be judged expedient, and for any breach of the rules so prescribed the party offending shall, in addition to all other forfeitures, that may attach to the act, forfeit to Government a sum equal to the penalty prescribed for a violation of the rule contained in the Fourth Section of Regulation II. 1802.

To what description of Spirits the rules in force relative to a drawback on exportation are to be considered applicable.

III. *First.* The rules contained in Sections XVI, XVII, XVIII, XIX, XX and XXI, Regulation II, 1802, are hereby declared to extend to all Spirits whatsoever, manufactured in this Country at Distilleries constructed and worked after the manner in which Distilleries are constructed and worked in England. The drawback payable on the exportation of all such Spirits shall be paid by the Collector of Customs, and the accounts thereof shall be adjusted in such manner as the Governor General in Council may direct.

Spirits manufactured within the Foreign Settlements, prohibited from being carried out of the limits of such Settlements, until the still head duty shall have been paid.

Second. Spirits manufactured within any of the Foreign Settlements on the River Hooghly, shall not be carried out of the limits of such settlements, until a duty equal to the still head duty chargeable on Spirits, manufactured as aforesaid, shall have been paid to the Collector at Hooghly, or such other Officer as the Governor General in Council may appoint, and a pass for the same obtained from such Officer.

Rate of duty to be paid to Government by persons receiving

IV. *First.* All persons receiving a license for the retail

a license for the retail sale of Spirits manufactured at any European Distillery.

retail sale of Spirits, manufactured at any European Distillery, shall pay a duty to Government of such amount per gallon, as shall with the still head duty equal the highest amount, payable under the rules of Regulation X. 1813, on Spirits manufactured at the Sudder Distillery of the district in which such retail sale shall be conducted, or at the nearest Sudder Distillery, if there be none within the district, due allowance being likewise made for the difference in the strength of the Spirit.

A retail duty to be paid on all Spirits imported by Sea.

Second. All persons receiving a license for the retail sale of Spirits manufactured in Europe or America, of Batavia or Ceylon Arrack, or of any Spirits whatsoever imported by Sea, shall in like manner pay a retail duty to Government of such amount per gallon, as shall with the duty of customs, or other duty paid on the importation of the said Spirits, equal the highest amount of duty payable on Spirits, manufactured at the Sudder Distillery of the district, or at the nearest Distillery, if there be none within the district, allowance being made for the difference in the strength of the Spirits.

And upon the retail sale of Wines.

Third. Persons receiving a license for the retail sale of Wines of any sort, shall pay a retail duty to Government equal to the duty payable under the above Clauses on proof Spirits.

Retailers of Wines or Spirits previous to receiving a license to enter into engage-

Fourth. Persons receiving licenses for the retail of Wines or Spirituous Liquors, shall be previously required to enter

enter into such agreements, relative to the payment of the retail duty, and with such security as the Officer granting the license, or the Board, or other authority, under which such Officer may be placed, shall from time to time direct; and any breach of the conditions stipulated in such agreements shall, besides the forfeiture of any penalty specially provided for, subject the offender to the penalties prescribed for the illicit sale of Spirituous Liquors.

ments, and give security for paying the retail duty.

Penalty for any breach of such engagements.

V. *First.* The wholesale vend of Wines and Spirits beyond the limits of Calcutta, excepting under licenses from the Collector, or other Officer in charge of the Abkarry Mehal, is hereby prohibited. Persons receiving such licenses shall pay a fee of sixteen rupees for each license received by them.

Prohibition against the wholesale vend of Wines and Spirits, beyond the limits of Calcutta, except by license.

A fee to be paid for such license.

Second. Any sales of Wines or Spirituous Liquors, in a less quantity than two gallons, shall be held to be a retail sale.

The Sale of less than two gallons of Wines or Spirits to be considered a retail sale.

VI. Licenses for the retail sale of Spirits, manufactured at the Sudder Distillery, as well as licenses to persons authorized to manufacture or sell Spirits manufactured after the Native process, at places beyond the boundaries prescribed for the Sudder Distilleries, shall continue to be granted under the provisions of Regulation X. 1813. Provided, however, that such part of the said provisions as prohibit the introduction within four coss of the place, at which the Sudder Distillery of a district is stationed, of Spirits manufactured at any other place, shall be held to apply only to persons introducing Spirits

License for the retail sale of Spirits manufactured at or beyond the boundaries of the Sudder Distilleries to be granted, as heretofore.

Proviso.

Spirits within the said limits, without having a regular license or pass from an Officer authorized by Government to grant the same, and shall not be construed to restrict the Revenue authorities from granting licenses or passes, nor to affect their validity when granted.

Such parts of the Regulations in force as restrict the Revenue authorities in regard to the period for granting licenses for the manufacture and sale of Spirits, &c. rescinded.

VII. *First.* Such parts of Sections XIX. and XXVII. Regulation X. 1813, or of any other provision, or Regulation in force, as restrict or can be construed to restrict the Revenue authorities in the exercise of their discretion relative to the period for which licenses for the manufacture or sale of Spirituous Liquors, Taury or Putchwye, or of intoxicating drugs, shall be granted, is hereby rescinded.

Licenses for the retail sale of Spirits, &c. to be granted for one year, unless otherwise specially ordered by Government or the Board of Revenue.

Second. Licenses granted under the provisions of this or any other Regulation, for the retail sale of Spirituous Liquors, Taury, or Putchwye, or of intoxicating drugs, shall be in force for one year only, from the date on which they may be granted, unless where otherwise specially directed by Government, or by the Board of Revenue, or other authority exercising the powers of that Board, who are hereby declared to be competent, subject to the restriction hereinafter prescribed, to cause licenses for the manufacture or sale of the said articles to be granted for such periods as may in each case be deemed expedient.

Power vested in the Board of Revenue to modify and alter the terms of licenses and engagements as may from time to time appear expedient.

Third. It shall also be competent to the Board of Revenue, or other authority exercising the powers of that Board, with the sanction of Government, to alter and modify the stipulations,

stipulations contained in the licenses held and engagements executed by licensed manufacturers or venders of Spirituous or fermented Liquors, Taury, Putchwye, or of intoxicating drugs, as may from time to time appear expedient, any thing in the existing Regulations notwithstanding, and any violation by such vender or manufacturer of the stipulations specified or engagement executed by him, shall subject the party to the penalties prescribed for illicit sale.

All licenses declared liable to resumption.

Fourth. All licenses as aforesaid shall at all times be resumable by the Officer, by whom they may have been granted, or by any other Officer exercising similar or superior powers, in the management or control of the Abkarry Department at the place, or places to which the license may apply. Provided, however, that if in any case a license shall be resumed, or refused to be granted by the Collector of a district, or Officer in charge of the Abkarry Mehal, and the party may consider himself aggrieved by the order passed by the Collector in his case, he shall be at liberty to appeal from the order of the Collector to the Board of Revenue, or other authority exercising the powers of that Board: and the Board or other authority aforesaid will confirm, modify, or annul the said order as the circumstances of the case may appear to require. Provided further, that, if a Collector or other Officer in charge of the Abkarry Mehal shall cancel the license granted to any retail vender of Spirituous Liquors, or intoxicating drugs, for any cause excepting for a breach of the peace, or a violation of any of the Regulations, or orders of Government, without previous notice of one month, the party whose license may be cancelled shall receive such compensation for any damage

Proviso allowing an appeal to the Board of Revenue in such cases.

Who may award a compensation to the party aggrieved, unless he has broken the peace or violated any of the Regulations.

damage he may thereby sustain as the Board of Revenue, or other authority aforesaid, shall adjudge on a consideration of the circumstances of the case: but no suit, for the recovery of damages alleged to be sustained, from the revocation of a license by a Collector or other Officer in charge of the Abkarry Mehal, shall be entertained by any Court of Judicature.

Courts of Justice prohibited from interference.

Provided likewise, that licenses granted under the provisions of Regulation X. 1813, or Regulation XIII. 1816, of which the period may be limited to one year, and the corresponding engagements entered into by the venders of Spirituous Liquors and intoxicating drugs, shall be required to be formally renewed from year to year; but if the person or persons holding such license shall not give notice to the Collector, or other Officer in charge of the Abkarry Mehal, fifteen days previous to the expiration of the year, according to the era current in the district, of his or their intention to relinquish it at the expiration of the year, and the license be not revoked by the Collector or Officer aforesaid, the license held and engagement entered into by the party shall remain in full force as if the said license and engagement had been solemnly renewed.

Fifteen days notice to be given in certain cases to the Collector before the year expires, or in failure the license and engagement to remain in full force.

Board of Revenue declared competent to sanction the grant of leases of the duties leviable on the manufacture and sale of Spirits, &c. for such periods as may appear advisable.

VIII. *First.* The Board of Revenue, and other authorities exercising the powers of that Board, are similarly declared competent under the restriction hereafter prescribed, to cause leases of the duties leviable on the manufacture and sale of Spirituous or fermented Liquors, Taury and Putchwye, and of intoxicating drugs, to be granted for such periods as they may deem advisable, such leases to be liable to be revoked by orders of the said Board, or other authority, or of the Governor General in Council, and compensation to be

be awarded in such case to the party, in the manner above prescribed for the case of the resumption of licenses.

Second. The rules contained in Regulation XVII. 1814, relative to the recovery of arrears due from persons selling, or manufacturing Spirituous Liquors, Taury, Putchwye, or intoxicating drugs, shall be, and be considered equally applicable to persons to whom the duties leviable on the manufacture and sale of the said articles, or any of them may be farmed, and to the sureties of such persons. Provided further, that the farmers of such duties shall be entitled to use and cause to be enforced the same means and process for the recovery of arrears due to them by the venders and manufacturers of the article aforesaid, or any of them, within the limits of their respective farms, as zemindars, or other sudder malgoozars, do or may lawfully use and cause to be enforced for the realization of arrears of rent due by their under tenants, subject to the same rules and restrictions as attach to such zemindars, and sudder malgoozars in that behalf.

The existing rules for the recovery of arrears due by the venders or manufacturers of Spirits, &c. declared equally applicable to the farmers of duties and their sureties.

Proviso entitling the farmers of duties to enforce the payment of arrears due to them.

IX. *First.* No licenses or leases for a period exceeding five years shall be held to be binding on Government, unless they shall have been granted with the sanction of the Governor General in Council.

Licenses or leases for more than five years declared invalid unless sanctioned by the Governor General in Council.

Second. The following rules are passed in modification of the provisions contained in Section III. Regulation X. 1813.

Third. It shall be competent to the Board of Revenue, or

Board of Revenue empowered to authorize manufactories of

Putchwye and other Spirituous Liquors &c. to be established under the rules in force in any district subject to its authority.

or other authority exercising the powers of that Board, with the sanction of Government, to cause manufactories of the Liquor denominated Putchwye, or any other Spirituous Liquor, or intoxicating drug, to which the system may be advantageously applicable, to be established in all or any of the districts subject to it's authority, under the same rules and provisions as are prescribed in Regulation X, 1813, for the establishment and management of Sudder Distilleries in so far as the same can be applied, and likewise with the said sanction, to make such alterations in, and additions to the existing rules and provisions relative to the management of the said establishments, as may from time to time be deemed expedient.

And to amend and alter such rules when necessary.

Board of Revenue authorized to direct the discontinuance of established Sudder Distilleries whenever such a measure may be deemed expedient

Fourth. It shall and may be lawful for the Board of Revenue, or other authority exercising the powers of that Board, to direct the discontinuance of the Sudder Distillery, or Distilleries, established under the provisions of the aforesaid Regulation, within any of the districts under their superintendence, whenever and so long as such a measure may appear to be expedient, and in such cases, and so long as the said Distillery or Distilleries may be discontinued; the general rules applicable to places beyond the limits of Sudder Distilleries shall apply to the sudder station of the Collector, Deputy or Assistant Collector, and it's vicinity, the special provisions relative to Sudder Distilleries and the places within limits thereof being, to the like extent and for the like period suspended.

Application of the general rules in such cases.

Fifth.

Fifth. Provided also, that it shall and may be lawful for the said Board, or other authority aforesaid, to fix the limits within which the Spirits manufactured at any Sudder Distillery are exclusively to be sold, and the special rules applicable to such Distilleries enforced in such manner as may in each case from time to time appear to be expedient, and wherever the special rules aforesaid may so cease, the manufacture and sale of Spirituous Liquors will of course become subject to the general provisions applicable to places beyond the said limits.

Board of Revenue empowered to fix the limits within which Spirits manufactured at a Sudder Distillery must be sold.

X. *First.* If any British born subject shall retail Spirits or Wines of any description in any place, of which the distance from the town of Calcutta may not exceed ten miles, without a license duly granted to him, he, she, or they, so offending, shall for every such sale, forfeit the sum of Sicca Rupees five hundred, to be heard, adjudged, and determined, according to the rules prescribed in Section XXXIII. Regulation II, 1802.

Penalty to which British born Subjects are declared liable for retailing Spirits or Wines at no greater distance than 10 miles from Calcutta, without a regular license for so doing.

Second. The rules contained in Sections XXI. XXII. XXIII. and XXIV. Regulation X. 1813, are hereby declared applicable to all persons, as well British born as others, who shall retail in any part of the provinces subordinate to this Presidency, at the distance of more than ten miles from Calcutta, Spirituous Liquors, or Wines, of any description, without a license, as well as to all persons not being British born, who shall retail Spirituous Liquors of any description, without a license, in any place beyond the limits of Calcutta.

The existing penal Rules declared applicable to all persons (British born and others) who without a license shall retail Spirits or Wines at any place distant, more than ten miles from Calcutta.

And to all persons not being British born, who without a license may retail Spirits at any place beyond the limits of Calcutta.

XI.

Penalty on persons conveying away Foreign or other Spirits not intended for private consumption, without a pass attesting the payment of the prescribed duties.

XI. Foreign Spirits, and Spirits manufactured in this Country, according to the European process, which may be found in transit without the proper Pass, Rowannah, or Certificate attesting the payment of the import or still head duty, not being evidently designed for the immediate private use or consumption of the owner, shall be confiscated, and the owner or person in charge of the same shall be subject to the penalties prescribed in Regulation X. 1813, for the illicit sale and manufacture of Spirituous Liquors and intoxicating drugs; the said forfeiture and penalty to be adjudged and determined and enforced, according to the rules of the said Regulation, and other existing Regulations, relative to the adjudication and enforcement of fines and forfeitures for illicit dealings in Spirits and intoxicating drugs. The same penalties shall attach to any person not being a licensed vender, who may be found in possession of any quantity of Spirits or intoxicating drugs, exceeding the quantity which licensed retail venders can, or may, legally sell or allow to be removed from their shops. Provided, however, that the above rules shall not be considered to apply to Liquors which individuals may have legally purchased for private use, and if the quantity may not exceed what the condition and circumstances of the party may render it probable that he should possess for that purpose.

Certificates attesting the payment of the still head duty to be granted by the Collector for one year only.

XII. *First.* Certificates attesting the payment of the still head duty shall be granted to all persons removing Spirits from any established Distillery by the Officer or Officers entrusted with the collection of the same, or such per-

son

son as he or they may appoint. Such Certificates shall be in force for one year only from the date on which they may be granted, but the owner of the Spirits covered by any Certificate shall be entitled to an exchange Certificate for another year, on applying to the Officer in charge of the Abkarry Mehal, and satisfying him that the identical Spirits are forthcoming, such Certificate being renewable in like manner yearly. A fee at the rate of two per Cent. on the amount of the duty specified in the Certificate, shall be paid to the Officer granting a renewal of it.

But an exchange Certificate for another year may be granted on application.

A fee to be paid on such renewal.

Second. Any dealer in Spirits being desirous of dividing a dispatch of Spirits, covered by a single Certificate, into smaller quantities, shall be entitled to receive, from the Officer in charge of the Abkarry Mehal, as many parcel Certificates as he may require, on surrendering the original Certificate, and satisfying the Officer that the identical Spirits therein referred to, are forthcoming. A like fee of two per Cent. on the amount specified in the parcel Certificates, shall be paid to the Officer granting the same.

Dealers in Spirits desirous of dividing a dispatch of Spirits entitled to receive parcel Certificates on surrendering the original Certificate and furnishing satisfactory information.

A fee to be paid on such occasions.

XIII. *First.* Any person entrusted with the charge of a Sudder Distillery, or in any manner employed by the Collector of the Abkarry Revenue, who may be convicted in the mode prescribed by Section XXII. Regulation X. of 1813, of any fraudulent breach of trust in the execution of his duty, shall be subject to the penalties prescribed by Section XXI. of the said Regulation.

To what penalties persons in charge of Sudder Distilleries are subject on being convicted of a fraudulent breach of trust.

Second.

Punishment to which Native Officers are subject on being convicted of conniving at the establishment of unlicensed shops.

Second. Cutwals, Darogahs of Police, Cutwals of Military Bazars, and other Native Officers, invested with local jurisdiction, who may authorize, support, countenance or connive at the establishment of any unlicensed shop or shops in any place subject to their control or influence, shall, besides being liable to dismission from Office, be further subject on conviction before the Magistrate of the Zillah, to the payment of a fine not exceeding Rupees five hundred, the fine, if not duly paid, shall be commutable to imprisonment for a period not exceeding six months.

Informers entitled to a moiety of the fine on the conviction of a Native Officer.

Penalty in Cases where such information originates in malice, &c.

XIV. Any person giving information, by which a Native Officer shall be prosecuted to conviction, shall be entitled to a moiety of the fine which may be levied from the offender. But should it appear on investigation that the information originated in malice, or in motives clearly vexatious and unwarrantable on the side of the informant, it shall be competent for the Officer by whom the case may be tried, to impose such a fine as may appear to be reasonable, not exceeding however in any case fifty Rupees, or to order the offender to be imprisoned for a period not exceeding fifteen days.

Churrus allowed to be retailed under the same rules and restrictions, as Ganja, &c.

XV. By Clause Second, Section XV. of Regulation X. 1813, the sale of Churrus is prohibited; but on a strict examination of that article it does not appear that it is of the noxious quality supposed, nor in any respect more prejudicial to health than Ganja, or other intoxicating drugs, the sale of which has been allowed. It is therefore hereby declared that Churrus may be retailed in the same manner, and, under the

same

same rules and restrictions, as Ganja, and other intoxicating drugs.

XVI. *First.* The following Rule is enacted in lieu of Section XXX. Regulation X. 1813.

Second. If any proprietor, farmer, sezawul, tehsildar or other manager of land shall authorize or connive at the illicit manufacture or sale of Spirituous Liquors, Taury, or intoxicating drugs, whether in a dry state or infused in water or other fluid, within the estate or farm held or managed by them, he shall, on conviction before the Collector of Land Revenue, or other Officer in charge of the Abkarry Mehal, be liable to the payment of a fine not exceeding Rupees five hundred, commutable, if not paid, to imprisonment for a period not exceeding six months.

Punishment to which Proprietors and Managers of land are declared liable on being convicted of conniving at the illicit manufacture or sale of Spirits, intoxicating drugs, &c. within their estates or farms.

Third. All charges of the nature specified in the above Clause are hereby declared cognizable exclusively by the Collector of Land Revenue or other Officer in charge of the Abkarry Mehal, any thing in the existing Regulations to the contrary notwithstanding, and the investigation thereof shall be conducted under the rules contained in Section XXII. Regulation X. 1813. Provided however, that the Collector or other Officer aforesaid shall not in such cases issue a warrant for the apprehension of the person, charged with the said offence, but shall proceed in the manner prescribed in Section LXXXIV. Regulation XIII. 1816, in regard to persons accused of acts done in violation of the rules of that Regulation.

Such charges declared cognizable by the Collector and to be investigated under the rules in force.

Proviso against the issue of a warrant in such cases.

Fourth.

Further proviso as to the mode of proceeding on such occasions.

Fourth. Provided further, that the rules and provisions contained in Sections LXXXI. LXXXII. LXXXV. LXXXVI. LXXXVII. LXXXVIII. LXXXIX. and XC. Regulation XIII. 1816, shall be held and considered applicable to all cases, in which persons shall be accused before the Collector or other Officer in charge of the Abkarry Mehal, of acts rendering them liable to any of the penalties prescribed in this Regulation or Regulation X. 1813.

Power reserved to Government for granting authority to Public Officers and others to seize contraband Spirits, Opium, &c. within certain limits.

XVII. *First.* In modification of the rule contained in Section XLI. Regulation XIII. 1816, it is hereby enacted, that it shall and may be lawful for the Governor General in Council, to grant authority to such Public Officers, or other persons whatsoever, to seize and detain contraband Spirits, Opium, and other intoxicating drugs, and within such local limits as he may from time to time judge necessary or expedient.

Mode of proceeding to be observed on such occasions.

Second. Whenever any person not vested with powers of seizure by the general Regulations may be specially authorized to seize, under the above rule, the arrangement shall be notified by an advertisement published in the Cutcherry of the Officer in charge of the Abkarry Mehal, and in the Adawlut of the City or Zillah within the jurisdiction of which the authority so given is to be exercised.

Penalty on persons concerned in encouraging or advising the illegal cultivation of the poppy.

XVIII. *First.* Any person who shall directly or indirectly be concerned in, or who shall in any way, cause, encourage, promote or advise the illegal cultivation of the poppy, shall

shall be liable to the same penalties and forfeitures, as are prescribed for the case of persons illicitly cultivating the poppy.

Second. All Native Officers of Government of whatever description, including Chokeedars, Pykes, or other Officers of Village Police, are strictly enjoined to assist in preventing the illicit cultivation of the poppy, by giving instant information to the authority to which they are immediately subordinate, whenever it may come to their knowledge, that any land has been illicitly so cultivated: and if any Officer aforesaid shall neglect to give information as above directed, or shall in any respect connive at the illicit cultivation of the poppy, he shall be liable to the same penalty as prescribed for the case of Police and Abkarry Darogahs permitting or conniving at the same by Section XXXVI. Regulation XIII. 1816.

Native Officers required to assist in preventing the above offence.

Penalty in case of neglect of duty.

Third. The like penalty shall attach to any Putwaree who may neglect to inform the Canoongoe of the Pergunnah, or the Collector of the district, of the illicit cultivation of the poppy, whenever the same may come to his knowledge.

Similar penalty on Putwarees.

Fourth. Provided further, that in all cases wherein any person or persons may be convicted of illicit dealings in regard to Opium, if the forfeiture incurred shall not amount to the sum of five hundred Rupees, the person or persons aforesaid, shall each of them, forfeit to Government such further sum in addition to the prescribed forfeiture, as with the same may make the total penalty imposed amount to the said sum of Rupees five

Proviso in cases where the value of forfeited Opium may not amount to the full sum of the penalty incurred.

five hundred, the said penalty if not paid to be commutable to imprisonment for a period not exceeding six months.

Penalty on persons purchasing, bargaining for or encouraging the embezzlement of Opium, through the medium of cultivators of the poppy, or those employed in the provision of Opium, on account of Government.

Fifth. Any person or persons purchasing or receiving Opium from a cultivator or other person, who may have entered into engagements for the cultivation of the poppy, or who may be employed in the provision of Opium on account of Government, or bargaining for the purchase of Opium with such cultivator, or other person aforesaid, or in any way causing, encouraging, or advising such cultivator or person to embezzle or illegally dispose of any Opium, shall each and all of them forfeit to Government a sum equal to three times the penalty, prescribed in Section XLV. Regulation XIII. 1816, for the illicit purchase or possession of Opium, viz. the sum of twenty-four and forty-eight Rupees per seer on the quantity of Opium purchased, bargained for, or designed to be illicitly disposed of, as the case may be; and in cases wherein the said forfeiture shall not amount to the sum of one thousand and five hundred Rupees, the party or parties aforesaid shall each of them forfeit such further sum, as with the forfeiture aforesaid, shall make the total penalty imposed amount to Sicca Rupees one thousand and five hundred, the said fines if not paid shall be commutable to imprisonment, for a period not exceeding twelve months. In addition to the said penalties the offender shall be subject to imprisonment for the term prescribed in the aforesaid Section, for cases of illicit purchase or possession of Opium.

Proviso in cases where the Opium illegally purchased or bargained for shall not amount to the sum of one thousand and five hundred Rupees.

Native Officers of Government required to suppress the

Sixth. Native Officers of Government of every description, and especially all such Officers in the districts within which

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which or in the neighbourhood of which Opium is manufactured on the public account, are hereby strictly enjoined to assist to the utmost of their power in the suppression of the illicit sale, purchase, importation, transportation or possession of Opium, by seizing the same, if authorized to do so, or if not vested with the power of seizure, by giving immediate information to the authority to which they may be respectively subject, of all instances of such illicit sale, purchase, importation, transportation, or possession of Opium, which may come to their knowledge; and any Native Officer aforesaid, who may connive at the illicit sale, purchase, importation, transportation, or possession of Opium, or who may neglect to give information in either of those cases, shall, on conviction before the Zillah or City Magistrate, (if the Native Officer be subordinate to them, or in other cases before the Collector of Land Revenue or Officer in charge of the Abkarry Mehal) be liable to a fine not exceeding eight Sicca Rupees for each and every seer so sold, purchased, imported, transported or possessed with his knowledge or connivance, commutable in the event of its not being paid to imprisonment for a period not exceeding six months. And if the quantity of Opium, so sold, purchased, imported, transported, or possessed cannot be ascertained, then and in that case the Officer offending as aforesaid, shall be liable to a fine not exceeding one thousand Rupees, commutable as aforesaid to imprisonment for a period not exceeding six months.

Illicit sale, purchase and possession of Opium by every means in their power.

Penalty on being convicted of connivance, or neglect of duty.

Seventh. Any person who may by force or threats prevent an Officer from effecting the seizure of any Opium, suspected

Punishment for forcibly resisting a public Officer employed in the seizure of contraband Opium.

suspected to be contraband, or who may forcibly resist such Officer in the execution of that duty, shall in addition to the penalty prescribed for cases of connivance, be liable on conviction before a Magistrate to a fine not exceeding one thousand Rupees. Parties so offending shall further be liable in the event of an affray, or other breach of the peace occurring in consequence of their resistance, to be punished under the general rules applicable to such cases.

Officers how to proceed in cases where they may apprehend opposition or resistance in making seizures of contraband Opium, &c.

Eighth. It is hereby further declared and enacted, that if any Officer authorized to attach Opium, shall have seized, or be about to seize any dispatch of Opium on information on suspicion of it's being contraband, or shall have effected, or be about to effect the attachment of the cattle, carriages or boats used in transporting such Opium, and shall have reason to apprehend forcible resistance, such Officer shall apply to the nearest Darogah to aid him in the execution of his duty; and all Darogahs or other Officers in charge of Thannahs or Chokies, to whom such application shall be made, or who may otherwise have reason to apprehend the occurrence of a breach of the peace, in consequence of a seizure of Opium, shall immediately afford the requisite aid to effect the seizure and preserve the peace.

Such seizures to be made at the sole risk and responsiblity of the Officers seizing.

Ninth. Such seizures shall be made on the responsibility and at the risk of the Officers authorized to seize, and the Police Officers shall not be competent to exercise any discretion in regard to the propriety or otherwise of the seizure, which they may be called upon to support, but shall be careful to prevent any unnecessary violence.

XIX. *First.*

XIX. *First.* Whatever judicial powers are declared by Regulation XIII. of 1816, to be vested in the Collectors of Land Revenue or Officers in charge of the Abkarry Mehal, shall also belong to, and be discharged by the Opium Agents of Behar and Benares, and their respective Deputies, and the investigation of all suits, complaints, or informations, which may come before them for the recovery of any fine or penalty recoverable by Government, or by the informer, on account of the illicit cultivation, manufacture, sale, purchase, importation, transportation, or possession of Opium, shall be conducted under the same rules as are in force, for the guidance of the Collectors of Land Revenue or other Officers in charge of the Abkarry Mehal.

The Opium Agents of Behar and Benares empowered to exercise the Judicial powers vested in Collectors of Revenue by Regulation XIII. 1816.

Second. Provided however, that the Board of Customs, Salt and Opium, shall exercise the same control over the Opium Agents of Behar and Benares, and their respective Deputies (including Collectors of Land Revenue, when employed in the Opium Department) in the discharge of the duties intrusted to them under this Section, as the Board of Revenue are directed to exercise over the Collectors of Land Revenue, or Officers in charge of the Abkarry Mehal by Section XCVI. Regulation XIII. of 1816, and appeals from the judgment passed, or the acts done by the Opium Agents and their Deputies, shall be preferred to the Board of Customs, Salt and Opium, under the same rules and condition, as are prescribed by Section XCVI. Regulation XIII. of 1816, in the case of appeals to the Board of Revenue, from the judgment of Collectors of Land Revenue, or other Officers in

Subject to the control of the Board of Customs, Salt and Opium.

in charge of the Abkarry Mehal.

Medical Officers when required by the Collectors and Agents, to regulate and class all confiscated Opium, under distinct heads.

XX. It shall be the duty of all Medical Officers, who may be called upon by the Collectors of Land Revenue or other Officers in charge of the Abkarry Mehal, or by the Opium Agents of Behar and Benares, and their respective Deputies, to report on the quality of any seized or confiscated Opium, to class the same under one of the four following heads, &c.

"Good Opium," by which is meant perfectly pure Opium.

"Marketable Opium," or Opium having one quarter of Foreign matter in it.

"Inferior Opium," or Opium having more than one half of foreign matter in it; or

"Useless Opium," by which is to be understood Opium so adulterated as not to be fit, for any of the ordinary purposes of the drug, medicinal, or otherwise.

Opium Agents not entitled to any share of rewards as heretofore for Opium seized and confiscated by their Officers or under their orders.

XXI. *First.* The Opium Agents and their Deputies shall not be entitled to any share of the rewards, heretofore received by them for Opium, which may have been attached, or confiscated by their respective order, or by their respective Officers, and, in further modification of the provisions of Regulation XIII. 1816, and XI. of 1818, relative to the rewards to be paid

paid on the seizure and confiscation of contraband Opium, the following rules are enacted. Provided also, that it shall be competent to the Governor General in Council, by an order in Council, to discontinue the payment of the said rewards to any other Officers, being covenanted servants of the Company, and to modify the distribution thereof in such manner as may from time to time appear expedient.

Proviso as to the discontinuance of rewards to other Officers.

Second. In cases any attachment of illicit Opium shall be made on information, and the Opium shall be confiscated, the person or persons on whose information the same may have been seized, shall be entitled, provided the Opium is declared by the Civil Surgeon of the station to be "Good," to a reward calculated at the rate of one rupee eight annas per seer of 82 sicca weight on the Opium so confiscated; and the Native Officer or Officers of Government, who upon such information made the attachment, or were immediately concerned in making it, shall be entitled to a similar reward. If the seizure of such Opium shall have been made exclusively by the Officer or Officers of Government, and not upon information given by any other person, such Native Officer or Officers shall be entitled to a reward at the rate of three rupees per seer of 82 sicca weight in the Opium, which may have been seized and confiscated.

Specification of rewards to be paid to informers and Native Officers concerned in the seizure of "Good" Opium.

Third. If the Opium shall be declared marketable, the informer or informers shall be entitled to a reward of twelve annas per seer of 82 sicca weight on the quantity of Opium seized and confiscated, and the Native Officer or Officers

Rewards for the seizure of marketable Opium.

cers who seized it upon such information to a similar reward; in case the seizure of such Opium shall have been made exclusively by the Officer or Officers of Government, and not upon information, such Officer or Officers shall be entitled to a reward of one rupee eight annas per seer of 82 sicca weight on the quantity of Opium, which may have been seized and confiscated.

Rewards for the seizure of inferior Opium.

Fourth. If the Opium shall be pronounced "Inferior", the informer or informers shall receive a reward of ten annas per seer on the quantity confiscated, and the seizer or seizers of the Opium on such information shall be entitled to a reward at the same rate.

In the foregoing cases informers to receive a moiety and Native Officers a fourth of all fines and of the proceeds of Boats, Carriages, Cattle, &c. seized with contraband Opium.

Fifth. In either of the three foregoing cases, that is to say, whenever Opium shall be seized and confiscated, which is declared by the Medical Officer to be either good, marketable, or inferior, the persons on whose information the same may have been seized, shall receive one half of any fine which may be levied in consequence, and a moiety of the amount proceeds of the sale of any boat, carriage, or other vehicle, bullock, or other beast of burthen, box, chest, or other package, which may have been seized with it, and the Native Officer or Officers who seized it upon such information, to one fourth of the fine that may be levied, and a similar proportion of the amount proceeds of the confiscated article that may have accompanied it. If the seizure shall have been effected exclusively by the Officers of Government and not upon information, such Officer or

But if the seizure is effected by Native Officers without the intervention of an informer, such Officers to receive three fourths of the fines and proceeds.

Officers

Officers shall receive, besides the rewards above assigned to them, three fourths of any fine levied in consequence of the seizure, and an equal proportion of the amount proceeds of the sale of the boat, carriage or other vehicle, bullock, or other beast of burthen, box, chest, or other package, which may have been seized and confiscated.

Sixth. No reward shall be payable on Opium declared to be useless which may be seized and confiscated.

No reward to be given for the seizure of useless Opium.

XXII. Whenever any party shall have been subjected to a fine under the provisions of this Regulation, it shall be competent to the Officer, by whom the fine may have been adjudged, in the event of its not being immediately discharged, not only to transmit the party fined to the Judge of the Dewannee Adawlut in order that he may be confined as already provided for, but likewise to have recourse to the attachment and sale of any personal property belonging to the party; and in the event of the amount of the fine not being liquidated by the sale of such personal property, recourse shall then be had to the sale of any real property which may belong to the party, under the rules for the sale of lands in liquidation of arrears of Revenue.

Collectors, &c. how to proceed to compel payment of fines under this Regulation.

XXIII *First.* It is hereby enacted, that it shall and may be lawful for the Opium Agents and Deputy Opium Agents, subject to the orders of the Board of Customs, Salt and Opium, to punish any of the Native Officers belonging to their establishments, as well as Muhtoes and other intermediate managers between the Officers of Government and the Opium ryots,

Opium Agents and their Deputies empowered to punish their Native Officers, &c. for neglect of duty or acts of oppression.

ryots, for any neglect or breach of duty, or any act of oppression which may not appear to be such as to require the interposition of the Magistrate or Criminal Courts, by a moderate fine, not exceeding in any case fifty rupees, and commutable, if not paid, into imprisonment in the Dewanny Jail for a period not exceeding one month.

And to recover balances due by Opium cultivators, &c. by a distraint and sale of Lands, with such powers as are vested in the Collectors of the Land Revenue.

Second. Provided also, that it shall and may be lawful for the Opium Agents, and Deputy Opium Agents, with the sanction of the said Board; to recover any balances or sums of money due by any Opium cultivator, or by any of the subordinate Officers of the factory, or by any Muhtoo, or intermediate manager, or by the surety of such cultivator, officer, or manager aforesaid, by the process of distraint and sale in the same manner, and with the same powers as Collectors of the Land Revenue are authorized to exercise in distraining, for the recovery of rents due by ryots, and other tenants in estates held khas.

SPECIAL RULES FOR CALCUTTA.

Unlicensed persons residing in Calcutta prohibited from having in their possession more than a pound of foreign Opium, unless under a Certificate from the Secretary to the Board of Customs, Salt and Opium.

XXIV. *First.* With a view of better securing the duty imposed on the importation of foreign Opium by sea, under the rules of Regulation XVI. of 1817, it is hereby enacted, that no person not being specially licensed by the Collector of Sea Customs in Calcutta, or by the Board of Customs, Salt and Opium, shall within the City of Calcutta, have in his possession more than one pound of Opium at a time, without a certificate from the Secretary to the said Board, evidencing that the same has been regularly imported by sea, and paid the

the duty prescribed in such case, or that it has been purchased at one of the sales held on the public account in Calcutta, and any Opium exceeding one pound in quantity, which may be found without such a document to protect it, or which may disagree in any respect with the certificate in the possession of individuals not being licensed as aforesaid, shall be forfeited to Government, and shall be seized by or under the warrant of the said Collector, or any of the Magistrates of Calcutta, and the person or persons in whose possession it was found, shall forfeit to Government a sum equal to three times the amount of the duty imposed on the importation of the article by sea under the Regulation aforesaid.

Penalty in cases where more than a pound of foreign Opium is discovered without such a certificate to protect.

Second. The Certificates directed to be issued by this Regulation from the Office of the Board of Customs, Salt and Opium, shall contain, besides such other particulars as to that authority may appear fit, the name of the holder, the quantity of the drug, and purpose for which it is allowed to be retained, the number of the lot or lots as per sale book, if purchased at the Calcutta sales, with the number and mark on each of the chests, the cost of the Opium per chest, and the date of the sale; and in the event of it's having been imported by sea, the date and number of the Opium as entered in the Import Registry Book of the Custom-house, the name of the importer, and of the ship in which it was imported, and each certificate so issued shall be separately registered by the Secretary to the Board aforesaid, and shall bear the signature of that Officer in evidence of it's authority.

What such certificates are to contain, and by whom to be registered.

Third.

Rule to be observed by persons applying for permission to export by Sea Opium covered by a Certificate.

Third. In case it shall be required to export by sea any Opium so covered by a certificate, it shall be the duty of the exporter to surrender the certificate at the time of his making his export application to the Collector of Sea Customs, and any Opium passed or attempted to be passed for exportation by sea without a certificate, or which may not correspond with the certificate, shall be forfeited as aforesaid, and the person or persons in whose possession it may be found, shall be liable to the penalty prescribed in the first Clause of this Section, for the case of the illicit possession of Opium generally in Calcutta.

Penalty for an infringement of such rule.

Certificates to be in force for one year only.

Fourth. Certificates issued under the above rules shall be in force for one year only from their date, provided, however, that it shall be competent to the Board of Customs, Salt and Opium, to authorize their renewal for another year, and so on successively, as often as they may think proper, in the event of their being produced before the expiration of the period, for which they may respectively be current. Certificates which have exceeded the term of their currency, shall be considered as wholly null and void, and shall in no degree protect any Opium which they may accompany.

But if produced before the expiration of the year may be renewed at the discretion of the Board.

Unrenewed Certificates after the lapse of a year to be considered null and void.

A. D. 1824. REGULATION VIII.

A REGULATION *for rescinding Regulation IV. of* 1813, *for determining the rates of Toll to be levied on Boats, Rafts, Timbers, and the like, passing through the Bhagaruttee, Jellinghee, Issamuttee, Matabhangah, and Choornee Rivers, and for providing for the better collection of the Toll, and for the secure navigation of the aforesaid and other navigable Rivers—Passed by the Governor General in Council on the* 8th *April* 1824; *Corresponding with the* 28th *Cheyte* 1230 *Bengal Era; the* 24th *Cheyte* 1231 *Fussily; the* 29th *Cheyte* 1231 *Willaity; the* 9th *Cheyte* 1881 *Sumbut, and the* 7th *Shaban* 1239 *Higeree.*

WHEREAS the rules contained in Regulation IV. 1813, relative to the collection of Tolls on Boats passing through the Canal therein specified have been found to be defective; Preamble.

fective; and Whereas from the extent of the changes which annually occur in the course of the Ganges, and in the streams which branch off from it, it appears to be necessary for the purpose of keeping open a direct channel of communication between the Hooghly and that River, that the measures heretofore pursued in regard to the Issamutty, Matabhangah, and Choornee, should be extended to the Bhagaruttee and Jellinghee Rivers, and that in all these streams further means should be adopted for removing the obstructions by which the passage through them is impeded; and Whereas an Officer has been specially appointed to conduct the operations requisite for the above purpose, and generally to consider and give effect to the measures necessary for facilitating the navigation of the Rivers abovementioned; and Whereas the arrangements in question have occasioned and must necessarily occasion a considerable annual expense, to defray which it is reasonable and proper that a moderate toll should be levied on all Boats, Timbers, and the like, passing thro' the said streams; and Whereas it is necessary to make provision for the collection of the Toll in such manner, as with reference to the varying circumstances of the Rivers in question, may, from time to time, appear best calculated to secure the public convenience; and Whereas it is expedient to vest the Officer aforesaid, and other Officers exercising similar functions with such powers and authority as may enable him promptly to remove all trees, timbers, sunken boats, or the like, by which the navigation of the rivers and streams aforesaid, and other navigable rivers and streams may be, or be likely to be impeded, to prevent all artificial impediments, and so to guard against all accidental causes of obstruction, as best to provide for the convenience and safety of all persons passing thro' the said streams, the following rules have been enacted to be in force from the date of their promulgation.

II. *First.*

II. *First.* Regulation IV. of 1813, is hereby rescinded.

Regulation IV. 1813, rescinded.

Second. Tolls at the rates specified in the Schedule No. 1, annexed to this Regulation, shall be levied on all boats, timbers, bamboos, rafts, floats, and the like, passing through or within the rivers mentioned in the preamble, at such stations or places as the Governor General may, by an order in Council, from time to time direct. The said tolls shall be levied by such Officer or Officers, as the Governor General in Council may appoint to collect the same; and the Officer or Officers so appointed shall act under the immediate control and direction of the Board of Revenue for the Lower Provinces.

Tolls at specified rates to be levied by an Officer of Government under the control of the Board of Revenue on all boats, timbers, rafts floats, &c. passing through the Bhagaruttee, Jellinghee, Issamutty, Matabhangah, and Choornee rivers.

III. The Collectors of tolls shall be assisted by such an establishment of Native Officers, as the Government may deem necessary, and in regard to the nomination, appointment, removal, or punishment of such Officers, the Collectors shall be guided by the provisions of the existing Regulations which define the authority to be exercised in these matters by the Collectors of the Land Revenue, and all rules contained in the existing Regulations applicable to Officers entrusted with the charge of public money or records, shall be held to be applicable to the subordinate Officers on the Collector's establishment who may be so entrusted.

Collectors of tolls to be assisted by establishments of Native Officers, and to exercise powers similar to the Collectors of Land Revenue in the appointment, removal and punishment of their subordinate Officers.

IV. The said tolls shall be levied on all boats, whether entering into, or returning by the aforesaid rivers, and whether freighted with articles to be imported or exported.

Tolls to be levied on all boats entering or returning by the rivers specified, and whether laden with imported or exported goods.

V. In order to obviate the delay which must be created, if boats liable to tolls, varying according to their burthen, were detained, for the purpose of minutely ascertaining their exact capacity

Rule to be observed in determining the tonnage of boats, &c. on which the authorized tolls are to be levied

capacity, the following rule for determining the tonnage, according to which the authorized tolls are to be levied, has been prescribed and is henceforward to be observed.

Boats not exceeding 50 maunds to be rated as 25 maunds burthen and pay toll accordingly.

First. Boats of a burthen, not exceeding 50 maunds, shall be rated as of 25 maunds burthen, and shall pay the toll appointed for boats of 25 maunds tonnage.

Boats above 50 and not exceeding 75 maunds to be rated at 50 and pay the prescribed toll.

Secondly. Boats of a burthen above 50 maunds, and not exceeding 75 maunds shall be rated as of 50 Maunds burthen, and shall pay the toll appointed for boats of 50 maunds.

Boats above 75 and not exceeding 100 maunds to pay toll for 75 maunds and so on progressively.

On the Tonnage exceeding 50 maunds, the allowance to extend to 50 maunds and on boats of above 1,000 maunds, the toll on 100 maunds to be relinquished.

Thirdly. Boats of a burthen above 75 maunds, and not exceeding 100 maunds, shall be rated as of 75 maunds burthen, and pay the toll appointed for boats of 75 maunds, and so on until the tonnage shall exceed 500 maunds, when the allowance shall extend to 50 maunds, and on boats exceeding 1000 maunds in burthen, the toll chargeable on any portion of 100 maunds shall be relinquished in the manner shewn in the Schedule No. 2, annexed to this Regulation.

No fleet of boats or rafts to float at one time more than twenty timbers through any of the rivers specifically named.

VI. *First.* No fleet of boats or rafts carrying or floating wood, or timbers, exceeding twenty in number, shall pass or enter at one and the same time into, through, or within the aforesaid rivers.

Nor more than twelve timbers by a single boat or raft.

Nor more than six timbers between the 1st December and 1st July.

Second. No boat or raft carrying or floating a greater number than twelve timbers, shall at any time be permitted to pass into or through the aforesaid rivers; Provided also that it shall not be lawful for any boat or raft carrying or floating more than six timbers to enter the aforesaid rivers, between the 1st of December and the 1st of July.

Third.

Third. For every timber which shall be floated, or carried into, or through the aforesaid rivers, in violation of any of the rules or restrictions herein appointed, the owner thereof shall forfeit to the Government the sum of ten rupees each timber, besides being subjected to the payment of the prescribed toll on the same, and it shall and may be lawful for the Collector to detain and distrain such a number of boats, timbers, rafts, bamboos, floats, and the like, or such a portion of their freight until the sum due, whether on account of toll or penalty, or both, shall have been liquidated, as he (the Collector) shall or may judge sufficient to defray the amount tolls or penalties demandable; and further the Collector shall require the person in charge of the said boats, timbers, rafts, bamboos, and floats, and the like, to make arrangements for the transit of the same in conformity with the rules and the restrictions contained in this Regulation, and shall detain them for that purpose, until those arrangements will have been made.

Penalty for infringing any of the above rules.

Collector empowered in certain cases to detain boats, rafts, &c. until the toll or penalty demandable thereon shall have been liquidated.

Fourth. Whenever any boats, timbers, rafts, bamboos, and floats, and the like, are detained for any of the reasons above stated, the Collector shall without delay make a full report of the circumstance to the Board of Revenue, and shall immediately publish a proclamation, appointing a day for the sale of the articles liable to sale, not being less than fifteen days, from the date on which the proclamation may be promulgated: but no sale shall be held, until the authority and sanction of the Board of Revenue for the same shall have been previously obtained, and if it be in any case necessary to postpone the day of sale, the Collector is authorized to do so, provided that not less than fifteen days notice of the time appointed shall invariably be given.

Collector in such cases to report to the Board of Revenue and notify the sale of the articles by proclamation after an interval of 15 days.

No sale to take place until authorized by the Board of Revenue.

VII. If any person shall attempt to pass free of toll any boat, raft,

Penalty for attempting to pass boats &c. free of toll after

having been boarded by the Collector's toll boat.

raft, timber, bamboo, float or the like, after having been boarded by the Collector's toll or chokey boat, such boat, timber, raft, bamboo, float, and the like shall be liable to detention, until a penalty of ten times the amount of the toll leviable shall have been paid, or shall have been levied by the summary process provided for in the preceding Clause.

Rules for defining the duties and powers to be exercised by the Supervisor of rivers.

VIII. *First.* An Officer having been appointed by Government, under the designation of Supervisor, to superintend the operations and works necessary to be undertaken and executed for the prevention and removal of all obstructions, by which the free and safe navigation of the rivers specified in the preamble of this Regulation are or may be impeded, the following rules are enacted for the purpose of defining the duties and powers of the said Supervisor, and the same rules shall apply to any other Officer or Officers who may be appointed to perform similar duties on any of the said rivers, or on any other navigable rivers, or streams, within the provinces subordinate to this Presidency.

Proviso for investing Collectors with similar powers.

Provided also, that it shall be competent to the Governor General in Council, by an order in Council, to vest the supervision of the said rivers, or such portion of them, as may seem fit in any of the Collectors herein before mentioned, or in any other Officer, whom he may judge it expedient to appoint.

Supervisor to act under orders from the Board of Revenue for the Lower Provinces, unless otherwise directed by Government.

Second. The Supervisor shall ordinarily act under the orders and directions of the Board of Revenue for the Lower Provinces, but it shall be competent to the Governor General in Council, by an order in Council, to vest the control over him in any other Board, Committee, Officer or Officers, as may from time to time appear to be expedient.

And empowered to cut down and remove trees, sunken boats,

Third. The Supervisor shall be competent, under the provisions

sions hereafter detailed, to cut down and remove any tree or trees, which may have fallen or be likely to fall into the said rivers, to remove sunken boats, or rafts of timber or of bamboos, and other nuisances, or obstructions to navigation of whatever denomination, together with all bandells or other contrivances for fishing, which may tend to obstruct or hinder the navigation of the same, whenever he shall be fully satisfied, after due local enquiry, that the continuance of such tree or trees, sunken boats, or rafts of timber, or bamboos, or bandells, or the like are or are likely to be seriously prejudicial to the free and safe navigation of the aforesaid rivers.

Rafts of timber and other obstructions to the navigation of the rivers.

Fourth. All trees, or other things, which shall have fallen, or may hereafter fall into any of the rivers or streams, mentioned in the preamble of this Regulation, or into any other navigable river, or stream, so as to endanger or materially impede the navigation thereof, shall be removed as soon as possible by the Supervisor or other Officer empowered by Government in that behalf: and the Supervisor, or other Officer aforesaid is hereby authorized to hew, split, demolish, destroy, or otherwise dispose of all such trees, or other things in such manner as the Board of Revenue, or other controlling authority may direct.

How such trees, &c. are to be disposed of.

Fifth. In all other cases where it may appear to be necessary to remove any tree, or other obstruction of the nature specified in the Second Clause of this Section, excepting as hereinafter excepted, it shall be the duty of the Supervisor or other Officer aforesaid, in the first instance, to endeavour to ascertain the owner of the tree, or other thing, which he may propose to remove as aforesaid; and to cause notice to be served on him, requiring the removal of the same within a reasonable period to be specified in the notice. If the owner aforesaid shall be absent

Cases in which before the removal of trees, &c. the Supervisor is to serve the proprietor with a notice, or to require the removal by a notification.

sent or unknown, a notification to the above effect shall be stuck in some conspicuous place in the nearest village.

Owners neglecting to remove trees, &c. after due notice given, the same to be removed and disposed of by the Supervisor.

Sixth. If, after notice has been given as aforesaid, the owner of the tree, or other thing required to be removed shall not remove the same, within the period fixed by the Supervisor, it shall be competent to that Officer to cause it's removal at the public expence, or in cases in which such an arrangement shall appear advisable, to dispose of it by public sale, subject to the condition of it's being removed, and with such further stipulations as may be deemed proper.

Supervisor may remove trees, &c. in cases of emergency without giving previous notice.

Seventh. In cases of emergency, wherein it may appear to the Supervisor or other Officer aforesaid, that any delay in removing the tree, or other thing to be removed, would be attended with serious risk or inconvenience, it shall be competent to him to cause the same to be forthwith removed without any previous notice as above directed.—Provided, however, that in such cases if the thing to be removed be other than a tree actually fallen into the stream, the Supervisor or other Officer aforesaid, shall as soon as possible, cause intimation to be given to the owner, or (he being absent or unknown) a notification to be stuck up in the nearest village; and he shall at the same time, make an immediate and full report of the case to the Board of Revenue, or other controlling authority.

Proviso as to the mode of proceeding in such occasions.

Provision under which buildings, trees &c. contiguous to rivers may be purchased on account of Government.

Eighth. Provided further that whenever it may appear necessary for the safety and convenience of the community, that any buildings, trees, or other property on, or in the vicinity of a navigable river, or stream, tho' not likely to fall into the stream, should be removed or appropriated to the public use, it shall be competent to the Governor General in Council to direct the

the same to be taken and purchased on account of Government, under the rules contained in Regulation I. 1824.

IX. *First.* Whenever any tree, boat, timber, or other thing obstructing, or likely to obstruct the navigation of any of the rivers, or streams, specified in the preamble of this Regulation, or of any other navigable river, or stream, may be sold subject to the condition of it's being removed, under the provision contained in Clause IV. Section VIII. of this Regulation, the net produce of the same shall be paid to the owner.

The proceeds of boats, trees, &c. sold under Clause IV. Section VIII. to be paid to the owner.

Second. When any of the things aforesaid shall be removed, or recovered by, or under the orders of the Supervisor, or other Officer duly empowered in that behalf, under the provisions of the said Clause and Section, then if the owner shall pay to the Supervisor, or Officer aforesaid, within a period to be fixed by the Board of Revenue, or other controlling authority, the expence incurred in the removal, or recovery thereof, with such a charge for salvage as the Board, or other authority aforesaid may adjudge, the same shall be given up to the owner or his authorized agent. Provided also, that whenever, after due notice for such a period as the Board of Revenue may have directed, no person shall, within the period appointed, tender reimbursement of the charge incurred in the recovery of property rescued, together with the amount of salvage which the Board of Revenue may adjudge; the Supervisor shall be authorized to sell such property at public sale, and to defray out of the proceeds the expence incurred in the recovery of the same, with the salvage adjudged as aforesaid: The surplus to be deposited for the benefit of the owner in such Treasury as the Board of Revenue may direct.

Or the owner may receive such boats, trees, &c. on paying salvage to the Supervisor within such period as the Board of Revenue may fix.

Proviso empowering the Supervisor to sell the property in case reimbursement be not made.

X.

All bandells, or contrivances for fishing tending to obstruct the free navigation of rivers prohibited.

X. No bandells, or contrivances for fishing, or for any other purposes, which may tend to obstruct the free navigation of the rivers and streams referred to in this Regulation, or other navigable rivers and streams, for the supervision of which the Governor General in Council may deem it necessary to provide, shall be allowed or permitted. Whenever the Supervisor, with the approval of the Board of Revenue, or other controlling authority, shall have removed any bandell or other contrivance for fishing, which may have been fixed, or sunk at any place in the said rivers, to the obstruction of navigation, or shall have prohibited the fixing, or sinking of any obstruction, within any specified limits, then, if any person shall replace the bandells, or other contrivances removed as aforesaid, or shall sink, or fix any such in opposition to the prohibition of the Supervisor, the bandells or other contrivances for fishing so replaced, or fixed, or sunk, shall be destroyed, and the party offending shall be liable to such punishment, not exceeding a fine of fifty rupees, or, in default of payment, imprisonment without irons in the Debtor's Jail for one month, as the Magistrate of the district may judge adequate to the offence; Provided however, that if the offender shall have used violence, or been guilty of any breach of the peace, he shall on conviction, besides any further punishment to which he may be subject, under the general Laws and Regulations, be liable to imprisonment in the Criminal Jail, with hard labor for a period not exceeding three months, and shall be required, at the discretion of the Magistrate, to furnish adequate security for keeping the peace.

Supervisor how to proceed on the removal of, or prohibiting the fixing of bandells, &c.

Punishment in case of opposition to the Supervisor's orders.

Further punishment in cases where offenders have committed violence or have been guilty of breaking the peace.

Punishment to which persons are declared liable for opposing or resisting the Collector or Supervisor, or preventing them or any of their Officers from fulfilling the duties assigned to them.

XI. *First.* Any person who may by force or threats prevent the Collector, Supervisor, or any of his or their Officers from fulfilling the duties assigned to them by this Regulation, or who may forcibly resist them in the execution of those duties, or who may

advise

advise or encourage such resistance, shall be liable on conviction before the Foujdaree Court of the District, or City, to the penalties prescribed, for the offence of resisting the process of a Magistrate. Parties so offending shall further be liable in the event of an affray, or other breach of the peace occurring in consequence of their resistance, to be punished under the general rules applicable to such cases.

Second. If the Collector, Supervisor, or other Officer aforesaid shall in any case have reason to apprehend forcible resistance, he shall apply to the nearest Darogah to aid him in the execution of his duty, and all Darogahs, or other Officers in charge of thannahs or chokees, shall on such requisition being made, or it's appearing to be otherwise necessary, immediately afford the requisite assistance, under pain of dismissal from office, and such fine not exceeding two hundred Rupees, as the Magistrate may adjudge commutable, if not paid to imprisonment in the Dewanee Jail, for a period not exceeding three months. Provided also; that if any Zemindar, Talookdar or other proprietor, farmer of land, or the Naib Gomashtah, or other local Agent, if such proprietor or farmer shall wilfully permit any one to resist the Collector, Suspervisor, or other Officers aforesaid, within the village or lands occupied or managed by him, such Zemindar or other person aforesaid shall be liable on conviction before the Magistrate, to a fine not exceeding two hundred rupees, commutable as aforesaid.

Collector or Supervisor how to proceed in cases when forcible resistance is apprehended.

Proviso as to the punishment to which proprietors and farmers of land are liable for conniving at resistance to the Collector, &c.

XII. The Collector, Supervisor, and their Native Officers, duly authorized by him, shall be authorized to arrest and deliver over to the nearest Police Darogah, or other Police Officer authorized to receive criminal complaints, any person, or persons guilty of any of the offences stated in the two preceding Sections

Collector or Supervisor, &c. empowered to seize and deliver over to the Police Officers all offenders described in the two preceding Sections.

tions

tions of this Regulation, for the purpose of their being forwarded to the Magistrate; and all Police Officers aforesaid are hereby required, subject to the provisions hereinafter specified, to receive and safely to forward to the Magistrate of the jurisdiction, within 24 hours, all offenders so delivered over. Provided always that the Supervisor, or his Officers shall give, at the same time, a written requisition to that effect, duly attested and dated, specifying the name of the offender, the nature of the offence, and engaging that a full report shall be transmitted to the Magistrate, and that all other necessary measures for the conduct of the prosecution shall be taken within ten days, from the date on which the offender or offenders shall have been apprehended. Provided also, that in such cases, if the party accused shall tender sufficient bail for appearance before the Magistrate, and shall not have been guilty of any offence which by the general Regulations is not bailable, the Darogah, or other Officer aforesaid, shall accept the bail and release the party.

Supervisor, &c. to give a written statement descriptive of the offence and the offender, and to engage to furnish the Magistrate with a full report on the case.

Proviso for admitting the accused to bail if the offence charged be of a bailable nature.

XIII. No person shall be detained in custody by a Magistrate under the provisions of Section XII. of this Regulation, beyond the period of ten days, if during that period, the Supervisor shall not have preferred his complaint, and pursued the necessary measures for the furtherance of the prosecution in the prescribed manner.

Magistrates not to detain persons in custody beyond ten days, if the Supervisor has not previously followed up his complaint in the prescribed manner.

XIV. Any Individual who may consider himself aggrieved, or injured by any order of the Board, or by any act of the Supervisor, or by his people, in the execution of their public duty under the authority vested in them by this Regulation, shall be at liberty to institute a suit against one, or either, or all of them in the Dewanny Adawlut of the City, or District, in which the imputed injury shall have occurred, and in all such cases the Judge of the City, or District, shall forward

Persons conceiving themselves aggrieved by any order of the Board, or by any act of the Supervisor, &c. allowed the option of instituting a suit in the Dewanny Adawlut against one or all of the authorities.

Judge how to proceed in such cases.

ward such petition, or plaint to the Board of Revenue, or other controlling authority, who, together with the Zillah and City Judges, are hereby required in the conduct of such cases to conform to the rules and provisions contained in Regulation II. of 1814. Provided, however, that, if the Supervisor or other Officer shall not have exceeded the power and license vested in him by this Regulation, no suit or plea shall be entertained by any of the Courts of Justice, on the ground that the removal of any tree, boat, timber, raft, bamboo, float, or other thing of the description specified in Clause Second Section VIII. of this Regulation, was not necessary for the furtherance of the free navigation of the rivers herein mentioned, save and except in cases wherein valuable trees may have been cut down; and it shall be proved after sufficient experience, that there was not any reasonable probability that the land on which they grew would be carried into the river, within the period of one year from the date of their being cut. Provided also, that, if in any case the Collector, Supervisor, or other Officer aforesaid, shall have tendered to the Plaintiff an adequate indemnification, the sum so tendered shall be received by the Court for the plaintiff, who shall be nonsuited with costs.

Proviso against the receipt of suits where the Supervisor, &c. may not have exceeded his authority.

Further proviso in cases where valuable trees are cut down without reasonable cause.

Plaintiff to be nonsuited with costs, if it be proved that the Collector or Supervisor has tendered adequate indemnification.

XV. The Supervisor shall be entitled to direct the Vakeel of the Government to conduct all criminal prosecutions instituted by him, under the provisions of this Regulation, and to defend all civil actions authorized to be defended by the Board of Revenue or other controlling authority, and the Collectors of Revenue are hereby authorized to supply the Vakeel of Government on application from the Supervisor with the stamp paper, which may be required for the purposes aforesaid.

The Supervisor authorized to employ the Vakeel of Government in the conduct of all criminal prosecutions and civil actions instituted under the provisions of this Regulation.

Stamp paper in such cases to be supplied on the Supervisor's application.

SCHEDULE

SCHEDULE.

No. 1.

SCHEDULE of Tolls chargeable on all Boats, Timbers, Bamboos, Rafts, and Floats; and the like, passing into or through the Rivers and Streams, specified in the preceding Regulation.

1st.	Pinnaces of Ten Oars, and under that number, ...	5 Rupees each.
	Ditto Ditto, exceeding Ten Oars, ...	8 Ditto ditto.
2d.	Budgerows of Ten Oars, and under that number, ...	3 Ditto ditto.
	Ditto Ditto, exceeding Ten Oars, ...	6 Ditto ditto.
3d.	Bauleahs, Cutters, and Boats for personal accommodation, not being of the description above specifically defined, and Pulwars, Paunsways, and Baggage Boats, ...	4 Annas per Oar.
4th.	Empty Boats, and Boats laden with Bricks, Tiles, or other Earthen substance baked, or otherwise, ...	2 Annas per 100 Maunds Tonnage.
5th.	Boats laden with Quick-lime, (Chunam) Straw, Firewood, Gran-sticks, thatching Grass, or such like,	8 Annas per 100 Maunds Tonnage.
6th.	Boats laden with Grain, Pulse, Seed, or Vegetables, of whatever description, and Indigo Seed, ...	12 Annas per 100 Maunds Tonnage.
7th.	Boats of burthen, freighted with Timbers and Bamboos, or with any Article, not included in the above enumeration, ...	One Rupee per 100 Maunds Tonnage.
8th.	Timbers, whether Chowkars, or Dhokars, if floated on Rafts, or otherwise, not being on Boats, ...	8 Annas each Timber.
	Unwrought Timbers, called Ghole, if floated as above, ...	5 Annas each Timber.
	Rafts floating 200 Bamboos, or less, ...	8 Annas.
	Ditto ditto, more than 200, but not more than 400, ...	12 Annas.
	Ditto ditto, more than 400, but not more than 1,000, ...	5 Rupees.
	Ditto ditto, more than 1,000, ...	10 Rupees.

SCHEDULE.

No. 2.

Table for adjustment of Tonnage and Rates of Tolls.

Tonnage or measurement of the Boat in maunds not exceeding	No. of Maunds upon which the Toll is leviable.	TOLLS. At One Rupee per 100 Maunds.			At Twelve Annas per 100 Maunds.			At Eight Annas per 100 Maunds.			At Two Annas per 100 Maunds.		
		Sa. Rs.	A.	P.	Sa. Rs.	A.	P.	Sa. Rs.	A.	P.	Sa. Rs.	A.	P.
50.	25.	,,	4	0	,,	3	0	,,	2	0	,,	0	6
75.	50.	,,	8	0	,,	6	0	,,	4	0	,,	1	0
100.	75.	,,	12	0	,,	9	0	,,	6	0	,,	1	6
125.	100.	1	0	0	,,	12	0	,,	8	0	,,	2	0
150.	125.	1	4	0	,,	15	0	,,	10	0	,,	2	6
175.	150.	1	8	0	1	2	0	,,	12	0	,,	3	0
200.	175.	1	12	0	1	5	0	,,	14	0	,,	3	6
225.	200.	2	0	0	1	8	0	1	0	0	,,	4	0
250.	225.	2	4	0	1	11	0	1	2	0	,,	4	6
275.	250.	2	8	0	1	14	0	1	4	0	,,	5	0
300.	275.	2	12	0	2	1	0	1	6	0	,,	5	6
325.	300.	3	0	0	2	4	0	1	8	0	,,	6	0
350.	325.	3	4	0	2	7	0	1	10	0	,,	6	6
375.	350.	3	8	0	2	10	0	1	12	0	,,	7	0
400.	375.	3	12	0	2	13	0	1	14	0	,,	7	6
425.	400.	4	0	0	3	0	0	2	0	0	,,	8	0
450.	425.	4	4	0	3	3	0	2	2	0	,,	8	6
475.	450.	4	8	0	3	6	0	2	4	0	,,	9	0
500.	475.	4	12	0	3	9	0	2	6	0	,,	9	6
550.	500.	5	0	0	3	12	0	2	8	0	,,	10	0
600.	550.	5	8	0	4	2	0	2	12	0	,,	11	0
650.	600.	6	0	0	4	8	0	3	0	0	,,	12	0
700.	650.	6	8	0	4	14	0	3	4	0	,,	13	0
750.	700.	7	0	0	5	4	0	3	8	0	,,	14	0
800.	750.	7	8	0	5	10	0	3	12	0	,,	15	0
850.	800.	8	0	0	6	0	0	4	0	0	1	0	0
900.	850.	8	8	0	6	6	0	4	4	0	1	1	0
950.	900.	9	0	0	6	12	0	4	8	0	1	2	0
1,000.	950.	9	8	0	7	2	0	4	12	0	1	3	0
1,100.	1,000.	10	0	0	7	8	0	5	0	0	1	4	0
1,200.	1,100.	11	0	0	8	4	0	5	8	0	1	6	0
1,300.	1,200.	12	0	0	9	0	0	6	0	0	1	8	0
1,400.	1,300.	13	0	0	9	12	0	6	8	0	1	10	0
1,500.	1,400.	14	0	0	10	8	0	7	0	0	1	12	0
1,600.	1,500.	15	0	0	11	4	0	7	8	0	1	14	0
1,700.	1,600.	16	0	0	12	0	0	8	0	0	2	0	0
1,800.	1,700.	17	0	0	12	12	0	8	8	0	2	2	0
1,900.	1,800.	18	0	0	13	8	0	9	0	0	2	4	0
2,000.	1,900.	19	0	0	14	4	0	9	8	0	2	6	0

A. D. 1824. REGULATION IX.

A REGULATION *to extend, with certain exceptions and conditions, the existing Settlement in the Conquered Provinces and in Bundelcund, for a further period of five years;—Passed by the Governor General in Council on the* **1st** *July* **1824,** *corresponding with the* **19th** *Assar* **1231** *Bengal era; the* **20th** *Assar* **1231** *Fussily; the* **20th** *Assar* **1231** *Willaity; the* **5th** *Assar* **1881** *Sumbut; and the* **3d** *Zekaad* **1239** *Higeree.*

Preamble.

WHEREAS the existing Settlement in the Conquered Provinces and in Bundelcund will expire with the ensuing Fuslee year 1232: and Whereas, with certain exceptions, it appears to be expedient to extend the said settlement for a further term, in cases in which the settlement has been formed with Zemindars or other persons recorded as proprietors or possessors of a permanent

manent interest in the Mehal for which they have engaged, or as the representatives of such persons: and Whereas it appears also to be desirable to provide for the continuance of the engagements of Zemindars and other persons as aforesaid, subsequently to the expiration of the period, specifically fixed for the same, until a careful revision of the settlement can be completed: and Whereas it is desirable to make further provision for securing the improvement of the Country; the following rules have been enacted, to be in force throughout the British territories immediately subject to the Government of the Presidency of Fort William, from the date of their promulgation.

The existing settlement in the Conquered Provinces and in Bundelcund extended in certain cases for a further period of five years.

II. *First.* The existing settlement in the Conquered Provinces and in Bundelcund, (with the exceptions and subject to the provisions hereinafter stated) shall be extended to a further period of five years, viz. for the years 1233 to 1237 Fuslee inclusive, in cases in which it may have been concluded with Zemindars, Lumberdars, or other persons recorded as the proprietors or possessors of a permanent interest in the Mehal for which they may have engaged, or as the representatives of such persons.

Zemindars declining to continue their engagements for such period to notify the same to the Revenue authorities on or before the 15th of October next.

Or failing to do so declared responsible for the payment of the present jumma during the ensuing five years.

Second. If any Zemindars and other persons aforesaid shall be unwilling to continue their engagements for a further period of five years on the terms specified in this Regulation, they shall notify the same to the Collector, or other Officer exercising the powers of the Collector, to whom they may be subject, on or before the 15th October next. And all Zemindars and other persons aforesaid who shall not make a Notification to the effect and within the period abovementioned, shall be held and are hereby declared to be responsible for the payment of the same Revenue for each of the five years subsequent

quent to the settlement now in force, viz. for the years 1233 to 1237 inclusive, as may be specified in their engagements for the year 1232, Fuslee. And in such cases no alteration shall be made in the jumma demandable by Government on account of the Mehals held by such persons (excepting as hereinafter excepted) until the expiration of the said period of five years.

The jumma in such cases to remain unaltered.

Third. It shall be competent to Collectors and other Officers exercising the powers of Collectors, subject to the orders of the Board of Revenue, to which they may be subordinate, to exclude from the operation of the above rule, any Mehal or Mehals, of which a revised settlement may have been made or be about to be made under the rules of Regulation VII. 1822, or in regard to which there may, in the judgment of these authorities, exist any special reasons for effecting an early re-settlement of the same; and in the case of Mehals of the last description, it shall be competent to the Collectors, or other Officers aforesaid, to make an immediate re-settlement of the same on the expiration of the existing leases, or to grant to the persons under engagements renewed leases for such further term (not exceeding five years) as the Board may direct. Provided however, that in all cases, in which it may be determined to adopt special measures as above, in regard to any Mehal or Mehals, the Collector or other Officer aforesaid shall give notice of such determination in writing to the person under engagements for the same on or before the 1st March 1825. A Perwannah delivered to, or left at the usual residence of the Malgoozar, or a notification stuck up, under orders of the Collector, in any conspicuous place within the Mehal, shall be held to be sufficient notice for the above purpose.

Collectors empowered to exclude certain Mehals from the operation of the above rule should any special reasons exist.

And declared competent to form a re-settlement of such Mehals or renew the leases of them for a further period.

Proviso as to notice to be given of such determination by Collectors.

Fourth.

The above rules not to affect engagements already entered into.

Fourth. The above rules shall not be held to affect the terms of any engagements, which may have been specifically entered into on account of any year or years subsequent to the general settlement now in force.

Zemindars, &c. whose engagements may be continued allowed after the expiration of such leases to hold their lands at the same annual jumma until the formation of a revised settlement.

Fifth. Zemindars and other persons as aforesaid whose engagements shall be continued for a further period of five years as above provided, as well as all other persons who may hereafter enter into engagements as proprietors, or as the representatives of proprietors, shall, after the expiration of the leases so extended or granted, hold the Mehals for which they may have engaged or may hereafter engage, and shall continue to be subject to the payment of the same annual jumma as may be chargeable on account of the last year of their lease, until the Collector, or other Officer exercising the powers of Collector, shall effect a detailed revision of the settlement in the mode prescribed by Regulation VII. 1822, or shall be otherwise specially authorized by Government to make a fresh assessment. Provided also that no Zemindar or other Malgoozar as aforesaid shall be liable to pay on account of any year a higher jumma than that payable under the above rule, unless he shall have been apprized of the Board's approval of the new assessment on or before the month of Jeth preceding: Nor shall any such Zemindar, or other Malgoozar be ousted from the management of any Mehal for which he may be under engagements, without such notice, except by due course of Law, on a decision in favor of the title of another party claiming the property of the same.

Proviso against the payment of a higher jumma by Zemindars unless timely apprized.

Such persons declared not liable to be ousted from the management of their lands without notice given except by due course of Law.

Estates at present let in farm to be resettled on the expiration of the existing leases, and Ze-

III. With respect to Estates which are at present let to farm, a settlement thereof shall be made on the expiration of the existing

existing leases, for such a period as the Governor General in Council may direct: A preference shall be given to the Zemindars, or other persons possessing a permanent property in the Mehals, if willing to engage for the payment of the public Revenue on reasonable terms. Provided also, that in cases wherein such Mehals may be let in farm, the term of the lease granted to the farmers shall not, excepting as hereinafter excepted, exceed twelve years. The above rules shall likewise be applicable to Estates now held Khas; So in any case wherein the Zemindars and other proprietors may refuse to continue their existing engagements on equitable terms, it shall be competent to the Revenue authorities to let the lands in farm for such period (with the restriction herein specified) as the Governor General in Council shall appoint, or to assume the direct management of them, and to retain them under Khas management during the period aforesaid, or such shorter period as may be judged proper. Provided also that in cases wherein it shall appear that the Zemindars have wilfully reduced the cultivation of their lands, or otherwise deteriorated the Mehal under their engagements in their occupancy, it shall be competent to the Revenue authorities to exclude persons so offending, and to let the lands in farm for a period of fifteen years: Leases for a like period may also be granted to Zemindars and farmers in cases where from special local circumstances, the measure may appear necessary with a view to the reclaiming of waste, the construction of works requisite for the extension of cultivation or otherwise for the improvement of the Country.

mindars possessing a permanent property in the Mehals to have a preference.

Proviso limiting such leases to twelve years.

The above rules declared applicable to Estates held Khas.

Rule of proceeding in cases where Zemindars, &c. may refuse to maintain their engagements.

Proviso for the exclusion of persons who may have wilfully deteriorated their lands, &c.

In such cases and in others where special circumstances require it, leases may be granted for fifteen years.

IV. The rules contained in the Third and following Sections of Regulation VII. 1822, with the modifications above provided for, and the necessary alteration of dates and periods, are, and shall be

Rules contained in the Third and following Sections of Regulation VII, 1822, with the foregoing modifications declared equally ap-

plicable to the Conquered Provinces and to Bundelcund.

Proviso limiting in certain cases the application of part of Clause 3d Section IX. of that Regulation.

be held to be equally applicable to the Conquered Provinces and to Bundelcund as to the Ceded Provinces; Provided also that such part of Clause Third Section IX. of that Regulation as prescribes that engagements taken in the manner specified in that Clause, shall be restricted to the term of five years, shall not be held applicable to leases granted to farmers in the cases specified in the foregoing Section, and that it shall be competent to the Board of Revenue with the sanction of Government, to grant leases, either to proprietors or farmers for any period not exceeding fifteen years, whenever special circumstances shall, in their judgment, render it expedient to do so, as well in the Ceded as in the Conquered Provinces.

A. D. 1824. REGULATION X.

A REGULATION *for modifying and amending the Rules at present in force, in regard to the pardon of Persons charged with or suspected of Criminal Offences;—Passed by the Governor General in Council on the 8th July* **1824,** *corresponding with the 26th Assar* **1231** *Bengal era; the 27th Assar* **1231** *Fusly; the 27th Assar* **1231** *Willaity; the 12th Assar* **1881** *Sumbut, and the 10th Zekaad* **1239** *Higeree.*

WHEREAS there appears reason to believe that the administration of criminal justice will be improved by extending the powers of the Magistrates, Joint Magistrates, and Superintendents of Police, in regard to the offer of conditional pardons to accomplices or accessaries with the view of discovering the principal offenders; of prosecuting criminals

Preamble.

minals to conviction, and of recovering stolen property; the following Rules have been enacted to be in force from the date of their promulgation throughout the provinces subject to the Presidency of Fort William.

Rules rescinded.

II. Section V. Regulation XIV. 1810, and Section IX. Regulation I. 1811, are hereby rescinded.

Magistrates and Joint Magistrates empowered to tender a pardon to accomplices in certain crimes.

III. *First.* In cases of murder, gang robbery, highway robbery, murder by Thugs, coining and forgery, as well as in cases of burglary and theft, attended with circumstances of aggravation, the Zillah and City Magistrates, and Joint Magistrates are hereby empowered, without previous reference to any other authority, to tender a pardon to one or more persons, (not being principals) supposed to have been directly or indirectly concerned in or privy to the offence, on condition of their making a full, true and fair disclosure of the whole of the circumstances within their knowledge relative to the crime committed, and the persons concerned in the perpetration thereof, or of their pointing out (in cases of robbery, burglary, and theft) the mode in which the stolen property may have been disposed of.

Such persons to be examined without oath.

Second. Persons to whom pardons may be tendered under the provisions contained in the preceding Clause, shall be examined without oath.

Motives for tendering pardon to be recorded, and a copy of the proceeding to be sent to the Superintendent of Police.

Third. In any case in which a Magistrate or Joint Magistrate may exercise the powers vested in him by the provisions of this Section, it shall be incumbent on such

such Magistrate or Joint Magistrate to record on his proceedings either in the English or Persian language, the considerations which may have induced him to deem such course of procedure advisable, and a copy of the proceeding shall be immediately transmitted by him to the Superintendent of Police for the information of that officer.

When the tender of such pardon may be desirable with a view to obtain the evidence of an accomplice, the previous sanction of the Superintendent of Police necessary.

Fourth. If the Magistrate or Joint Magistrate should consider it desirable, that a pardon should be tendered to any accomplice or accessary in a crime of the description specified in the preceding Section, with a view to obtain the evidence of such accomplice or accessary in the trial of the other offender or offenders, the Magistrate or Joint Magistrate shall apply to the Superintendent of Police for his sanction to the measure.

Copy of the examination without oath of the accomplice to be transmitted to the Superintendent of Police.

Fifth. In such cases the individual in question shall in the first instance be examined by the Magistrate or Joint Magistrate without putting him on his oath, and a copy of the examination and of the proceedings holden in the case shall be transmitted to the Superintendent of Police, who after considering the proceedings of the Magistrate or Joint Magistrate, will determine on the propriety of complying with the application.

Caution to be observed on such occasions by Magistrates, Joint Magistrates, and Superintendents of Police.

IV. *First.* The Superintendents of Police, and the Magistrates and Joint Magistrates will be cautious not to tender pardons to principal offenders, and in no case to make the offer to accomplices or accessaries without a reasonable prospect of recovering the property plundered through

through the means of the person or persons to whom a conditional tender of pardon may be made, or of thereby securing the apprehension and conviction of the principal offenders by whom the crime may have been perpetrated, or of the receivers of the stolen property.

The offer of a pardon not to be sanctioned in certain cases.

Second In cases in which there may appear no prospect of obtaining other evidence than the deposition of an accomplice or accessary, the Superintendent of Police will refuse his sanction to the offer of a pardon.

Improper exercise of the power conferred on Magistrates and Joint Magistrates to be reported by the Superintendents of Police.

Third. It shall be the duty of the Superintendents of Police to bring to the notice of the Court of Nizamut Adawlut, all instances that may come to their knowledge of the injudicious or improper exercise of the powers vested in the Magistrates and Joint Magistrates by this Regulation.

Judge of Circuit or Nizamut Adawlut competent to direct the commitment of a person to whom pardon may have been tendered if he shall not fulfil the conditions of the tender.

V. *First.* It shall be competent to a Judge of Circuit at the time of holding the Sessions, or to the Nizamut Adawlut, if the final sentence should be passed by the latter Court, to direct the commitment of any person to whom a pardon may have been offered under the provisions of this Regulation, should it appear on evidence that such person has not conformed to the condition under which the pardon was tendered either by wilfully concealing any thing essential or by giving false evidence or information with a view to the conviction of an innocent person or persons.

Or to direct the Magistrate or Joint Ma-

Second. In like manner it shall be competent to a Judge of

of Circuit or to the Court of Nizamut Adawlut, at the time of trial, to instruct the Magistrate or Joint Magistrate to tender a pardon to any accomplice, or accessary, with the view of obtaining his evidence on oath as a witness on the trial.

gistrate to tender a pardon when they may judge it necessary.

Third. It shall be competent to the Court of Nizamut Adawlut to revise the proceedings of the Magistrates and Joint Magistrates, and Superintendents of Police, in any case in which a pardon may have been tendered to an accomplice or accessary, and to annul the orders passed on such proceedings, should it appear to the Superior Court that a pardon has been granted on insufficient grounds.

Nizamut Adawlut may revise proceedings and annul the orders of Magistrates, Joint Magistrates and Superintendents of Police when a pardon may have been improperly tendered.

VI. The powers granted by this Regulation to Magistrates and Joint Magistrates, are hereby declared not to extend to the Assistants to the Magistrates.

Assistants to Magistrates not to exercise the powers conferred on Magistrates and Joint Magistrates under this Regulation.

A. D. 1824. REGULATION XI.

A REGULATION *for empowering the Zillah and City Judges and Magistrates to depute their Registers or Assistants, for the purpose of making local investigations in certain cases;—Passed by the Governor General in Council on the* 15*th July* 1824, *corresponding with the* 1*st Sawun* 1231 *Bengal era; the* 4*th Sawun* 1231 *Fussily; the* 2*d Sawun* 1231 *Willaity; the* 4*th Sawun* 1881 *Sumbut; and the* 17*th Zekaad* 1239 *Higeree.*

Preamble.

BY the Second Clause of Section X. Regulation II. 1821, the Judges and Registers of the Zillah and City Courts are empowered to hold their proceedings in summary suits regarding rent, or dispossession from land or crops, at any place within the jurisdiction of the Courts to which they may be respectively attached. But no general power has been

been vested in the Zillah and City Judges and Magistrates, to depute their Registers, or Assistants, for the purpose of making local investigations when such deputations may appear expedient; nor do the existing Regulations contain any provision for the payment of the expense incurred in such deputations whether by the parties or by Government. The following Rules have therefore been enacted to provide for such cases; to be in force as soon as promulgated throughout the Territories subject to the Presidency of Fort William.

Judges and Magistrates empowered to depute their Registers or Assistants to conduct investigations within their respective jurisdictions regarding boundary disputes, &c.

II. Whenever it may appear advisable to a Zillah or City Judge or Magistrate, to depute his Register, Assistant, or any European Officer acting under his authority, being a covenanted servant of the Company, to make a local investigation within the limits of his jurisdiction, for the purpose of speedily and satisfactorily determining a boundary dispute, or contested right of possession, or for the prompt and impartial adjustment of any matter connected with a depending civil suit, or subject of inquiry in the Foujdarry Court, which, from the circumstances of the case, may appear to require the deputation of an European Officer, instead of a Native Aumeen, or the employment of the local Moonsiff or Police Officer, it shall be competent to the Zillah or City Judge or Magistrate, to order such deputation, and to furnish the Officer so deputed with such instructions as may appear necessary for his guidance in making the local investigation committed to him. Provided that such instructions be not in

And to furnish them with suitable instructions.

in any respect inconsistent with the general Regulations in force.

III. Whenever the deputation of an European Officer, as authorized by the preceding Section, may be ordered at the request of a party in a civil suit, or for the purpose of inquiring into any local question of private right between two or more individuals, relative to a case depending in the Dewanny or Foujdarry Court, it shall be at the discretion of the Judge or Magistrate, by whom the deputation may be ordered, or who may determine the case to which it relates, to declare the whole or any part of the usual deputation allowance receivable by the Officer so deputed, as well as every other authorized and necessary expense attending the local inquiry, to be payable by the party against whom the case may be adjudged; or proportionally by each of the parties, if this appear just on due consideration of all the circumstances of the case. Provided that if in any instance, the Judge or Magistrate, shall be of opinion that it would not be proper from indigence or other cause to render the parties, or either of them, answerable for the whole or any part of the deputation allowance receivable by the European Officer deputed, he shall be authorized to discharge the same (subject to the usual audit) on the part of Government.

Judges and Magistrates may determine what proportion of the deputation charges shall be paid by the respective parties.

IV. All deputations of a Register, Assistant, or other European Officer, which may be ordered by any Judge or Magistrate under this Regulation, shall be immediately reported, with a statement of the circumstances of the case,

All deputations to be reported to the Secretary to Government in the Judicial Department.

to

to the Secretary to Government in the Judicial Department, to whom also the return of the Officer so deputed shall be reported immediately on his return to his station.

Similar reports together with the Judge or Magistrate's proceeding to be communicated to the Provincial Court of the Division.

V. A report of the deputation of any European Officer under the provisions of this Regulation, shall also, in every instance, be made without delay to the Provincial Court of Appeal, or Circuit for the Division (according to the department in which the deputation may have been ordered) together with a copy of the proceeding of the Judge or Magistrate, directing the deputation; and if in any instance the reasons stated for the deputation shall not appear sufficient, and the Provincial Court (after calling for any further information that may be required) shall deem the deputation unnecessary, or inexpedient, it shall be competent to the Provincial Court of Appeal or Circuit, to revoke the same; transmitting at the same time a copy of the orders issued by them, with the proceedings and papers connected therewith, for the information of the Court of Sudder Dewanny, or Nizamut Adawlut, (according to the department in which the proceedings may have been held) who will issue such final orders in the case as they may deem just and proper.

Who may revoke the deputation if it shall be deemed an unnecessary or inexpedient measure.

In such cases the Court's proceedings to be transmitted to the Sudder Dewanny or Nizamut Adawlut for final orders.

Judges and Magistrates to depute their Registers only in cases of urgency.

VI. The Judges of the Zillah and City Courts are enjoined to observe the greatest caution in deputing their Registers, under the discretion vested in them by this Regulation, with a view to obviate the public inconvenience that must arise from any continued absence of

of the Register from his proper Court. Such deputations should not therefore be made, except in cases of urgency, and for a short period, nor shall the established pleaders of the Register's Court be required to attend the local investigation committed to him on such occasions; but the parties shall be at liberty to attend the same in person, or by any authorized agent whom they may duly appoint to be present in their behalf.

The parties concerned or their authorized Agent, and not the established pleaders of the Register's Court, to attend the Register in making local investigations.

A. D. 1824. REGULATION XII.

A REGULATION *for reviving the penalty formerly imposed on wilful Revenue Defaulters;—Passed by the Governor General in Council on the 22d July* 1824, *corresponding with the 8th Sawun* 1231 *Bengal era; the 11th Sawun* 1231 *Fusly; the 9th Sawun* 1231 *Willaity; the 11th Sawun* 1881 *Sumbut; and the 24th Zekaad* 1239 *Higeree.*

Preamble.

WHEREAS many of the Zemindars of Bengal, Behar and Benares, notwithstanding the advantages derived by them from the permanent assessment of their estates, wilfully neglect to pay their Revenue according to their engagements and causelessly withhold the public dues until their estates are put up to sale; and Whereas much public inconvenience having been experienced from such default, it appears to be expedient to revive the Rule under which defaulters were liable, in addition to the prescribed interest,

to

to a penalty at the rate of 12 per Cent per annum on the arrears due from them respectively, the following Rule is enacted to be in force from the date of the promulgation of this Regulation.

Clause First, Section XXVIII. Regulation V. 1812, rescinded, and the provisions which were annulled by that Clause to be again in force.

II. Clause First, Section XXVIII. Regulation V. 1812, is hereby rescinded, and the penalty prescribed by the provisions which were annulled by the said Clause, and which are now re-enacted, shall, when imposed by the Board of Revenue, be realized in the same manner as an arrear of Revenue.

A. D. 1824. REGULATION XIII.

A REGULATION *for making further provisions relative to the Office of Sudder Aumeen.—Passed by the Governor General in Council on the 22d July* **1824,** *corresponding with the 8th Sawun* **1231** *Bengal era; the 11th Sawun* **1231** *Fussily; the 9th Sawun* **1231** *Willaity; the 11th Sawun* **1881** *Sumbut; and the 24th Zekaad* **1239** *Higeree.*

Preamble.

WITH a view to the better administration of Civil justice in suits referred for trial and decision to Sudder Aumeens, as well as for the more certain and adequate compensation of these Officers in certain cases, it has been deemed expedient to discontinue the mode of paying them by the institution fee, or stamp duty substituted for it, in suits decided by them, or adjusted before them by Razeenamahs of the parties; and to grant them a fixed allowance from Government, calculated to ensure a faithful discharge of duty and afford them a liberal reward for their services;

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it has, at the same time, appeared proper to render their services more available to the Judges of the Zillah and City Courts; the following Rules have accordingly been enacted, to be in force from the date of their promulgation throughout the Territories subject to the Presidency of Fort William.

Parts of Regulation XXIII. 1814, and Regulation II. 1821, rescinded.

II. *First.* Such parts of Regulation XXIII. 1814, and of Regulation II. 1821, or of any other Regulation in force, as authorize Sudder Aumeens to receive as a compensation in original suits and appeals decided by them, or adjusted before them by Razeenamah, the amount of the institution fee, or stamp duty substituted for such fee, on the suits or appeals so decided or adjusted, are rescinded, and shall have no operation after the 30th day of April, 1824.

Sudder Aumeens to receive monthly allowances in lieu of fees.

Second. From the 1st day of May, 1824, the Sudder Aumeens shall in lieu of the fee and compensation abovementioned, receive from Government such monthly allowances as may be fixed for them respectively, by the orders of the Governor General in Council.

Parts of Section II. Regulation XXIII. 1814. and Section IV. Regulation III. 1817. rescinded.

III. *First.* Such parts of Section II. Regulation XXIII. 1814, and Section IV. Regulation III. 1817. or of any other Regulation in force, as restrict plaintiffs or appellants in original suits, or appeals adjusted by Razeenamah before Sudder Aumeens, from receiving back the whole or a portion of the institution fee paid by them, in pursuance of the general rules prescribed in the First and Second Clauses of Section XI. Regulation XIII. 1810, for encouraging the adjustment of depending

suits

suits and appeals by Razeenamah, are hereby rescinded.

Second. In original suits and appeals referred to Sudder Aumeens, and adjusted by Razeenamah, after the 1st May, 1824, if the Razeenamah be filed before the pleadings are completed and read, the full amount of the stamp duty paid on the institution of the suit or appeal, shall be returned to the party who may have paid the same; or to his legal representative; or a moiety of the stamp duty so paid shall be returned if the Razeenamah be filed after the pleadings have been completed and read.

Stamp duties in original suits and appeals referred to Sudder Aumeens how to be disposed of when such suits are adjusted by Razeenamah.

Third. The several Sudder Aumeens are required to submit to the Judges and Registers, with whom they are respectively stationed, a monthly statement of the stamp duty receivable by the parties entitled thereto under the above Clause; and the Judges after ascertaining the correctness of such statements, will take the necessary measures for causing payment to the parties entitled thereto in pursuance of Section XXV. Regulation XXVI. 1814.

A monthly statement of stamp duty receivable by the parties entitled thereto to be furnished by the Sudder Aumeens.

IV. *First.* So much of Section LXVIII. Regulation XXIII. 1814, Section VI. Regulation XXVIII. 1814, or of any other Regulation in force, as directs that no suits shall be referred for trial and decision to a Sudder Aumeen in which the plaintiff may have been admitted to sue *in formâ Pauperis*, is hereby rescinded.

Part of Section LXVIII. Regulation XXIII. 1814, and Section VI. Regulation XXVIII. 1814, rescinded.

Second. When a plaintiff may have been admitted by the Judge or Register of a Zillah or City Court, to institute his

The Judge may refer suits in *formâ Pauperis* to a Sudder Aumeen.

his suit, in *formâ Pauperis* under the rules for paupers contained in Regulation XXVIII. 1814, and the suit may, in other respects, be referrible to a Sudder Aumeen, it shall be competent to the Judge to refer the same for trial and décision by one of the Sudder Aumeens attached to the Zillah or City Court, or stationed with the Register in any other part of his jurisdiction; and the suit so referred shall be proceeded upon by the Sudder Aumeen as in other suits referred to him; subject to the provisions contained in Regulation XXVIII. 1814.

Certain provisions in Regulation XXVIII. 1814, declared applicable to parties in appealed cases referred for trial to Sudder Aumeens.

Third. The provisions in the Regulation abovementioned respecting pauper defendants in original suits, as well as those respecting pauper appellants and respondents in appealed cases, shall likewise be considered applicable to defendants in original suits, and to appellants and respondents in appealed cases referred for trial to Sudder Aumeens: but no person shall be admitted by a Sudder Aumeen to prosecute or defend an original suit or appeal, in *formâ Pauperis* without the written order of the Zillah or City Judge, or of the Register with whom the Aumeen may be stationed, authorizing the admission of the party as a pauper under the provisions of Regulation XXVIII. 1814.

Exception.

Provision in Section V. of the same Regulation extended to Sudder Aumeens.

Fourth. The Judges and Registers who are empowered by Section V. of the Regulation abovementioned, to employ an authorized Officer of the Court in taking the examinations of parties and witnesses for the purposes therein specified, may however employ the Sudder Aumeens attach-

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ed to their respective Courts, in taking such examinations and generally in making the inquiries provided for by that Regulation. But no final order for the admission of a pauper shall be passed by a Sudder Aumeen, nor shall the commitment of pauper plaintiffs to close custody, in pursuance of Section XI. Regulation XXVIII. 1814, be carried into execution by a Sudder Aumeen, without the sanction of the Judge or Register, to whom it may belong to enforce the decision of the Aumeen in such cases.

But no final order to be passed for admission of a Pauper suit without the sanction of the Judge or Register.

V. By the First Clause of Section LXXVI. Regulation XXIII. 1814, it is provided, that "in the trial of regular suits by the Zillah or City Judges, or in miscellaneous cases, whenever the adjustment of accounts regarding the execution of decrees, and mercantile or revenue transactions, or the investigation of disputes between landlord and tenant, or of other special matters of account, fact, or usage, may be requisite; and such adjustment or investigation, if conducted by the Judge himself, would occupy a larger portion of his time than could be conveniently devoted to it, the Judge is hereby authorized to direct any of the Sudder Aumeens under his jurisdiction to make such adjustment, or investigation." The Second, Third, Fourth, Fifth and Sixth Clauses of the Section abovementioned, contain further provisions relative to the cases therein stated; and the whole of these Clauses shall be still in force, except the Fifth; which, in consequence of the salary to be hereafter received by Sudder Aumeens from Government, is hereby rescinded; Provided however that if any necessary expense be incurred in making the inquiries

The whole of Clauses II. III. IV. V. and VI. of Section LXXVI. Regulation XXIII. 1814, still in force except the 5th, which is hereby rescinded.

Proviso.

inquiries or adjustments referred to, it shall be competent to the Judge on the completion of the enquiry or adjustment, to order payment of the amount of such necessary expense by one or both of the parties in the case as may appear just and proper.

A. D. 1824. REGULATION XIV.

A REGULATION *for modifying the Rules in force for referring to the Collectors Summary Suits in cases of arrear or exaction of rent.—Passed by the Governor General in Council on the 22d July* **1824**, *corresponding with the 8th Sawun* **1231** *Bengal era; the 11th Sawun* **1231** *Fusly; the 9th Sawun* **1231** *Willaity; the 11th Sawun* **1881** *Sumbut; and the 24th Zekaad* **1239** *Higeree.*

Preamble.

THE provisions contained in the Regulations now in force, empowering the Judges of the several Zillah and City Courts to refer to the Collectors for adjustment and report summary suits relating to arrears or exactions of rent, have been found insufficient to expedite the trial and adjudication of such suits; and it has in consequence become indispensible

sible to the attainment of that object that the Revenue Officers should be vested with authority to hear, investigate and determine, by a summary process, and subject to a regular suit in the Civil Court, all suits, claims, and demands of rent, arrears or exactions of rent, between landholders or farmers of land, and their under-tenants, or between any other persons concerned in the receipt and payment of the land rents, which may be referred to them for that purpose by the Judges of the Zillah and City Courts; the following rules have been accordingly enacted, to be in force from the date of their promulgation throughout the territories immediately subject to the Presidency of Fort William.

Parts of former Regulations modified.

II. *First.* Such parts of Regulations VII. 1799, V. 1800, XXVIII. 1803, V. 1812, VII. 1813, and XIX. 1817, or of any other Regulation in force, as direct or authorize the Judges of the Zillah and City Courts to refer summary suits relative to arrears or exactions of rent, or any summary suits within the provisions of the Regulations above noticed, to the Collectors of the land revenue, for adjustment and report, are hereby modified as follows:

A Judge referring to a Collector Summary Suits under Section XIII. Regulation XIX. 1817 shall issue a precept requiring him to try and decide the suit within a limited period;

Second. Whenever the Judge of a Zillah or City Court under the discretion vested in him by Section XIII. Regulation XIX. 1817, may consider it proper, with a view to the speedy trial and determination of any summary suit of the nature therein mentioned, to refer the same to the Collector of the district, he shall do so by a precept, requiring the

the Collector to investigate and decide the suit referred to him; and to report his decision within a limited period, or to assign reason at the expiration of such period, why the suit has not been decided, and what further time is requisite for bringing the same to a summary determination.

Or assign a sufficient reason.

Third. In the event of any considerable delay in the decision of a suit so referred to a Collector, it shall be competent to the Judge to recal the same, and to try the suit himself, or refer it to his Register.

In the event of considerable delay, the Judge may recal suits from the Collector.

III. It shall be competent to the Collectors summarily to hear, investigate and determine, any suits of the nature of those above specified, which may be referred to them by the Judges of the Zillah and City Courts, under the provisions of the foregoing Section.

The Collectors are competent Summarily to determine Suits referred to them under the foregoing Section.

IV. In the trial and decision of such suits, the Collector shall be guided by the rules contained in this Regulation, and upon points to which these may not be applicable by the rules prescribed for the guidance of the Civil Courts in the trial and decision of summary suits of the same description. The Collector shall also possess the same power as are vested in the Civil Courts for causing the attendance of parties and witnesses, and generally for all process which it may be necessary to issue in such suits, except the execution of decrees, respecting which the following rule is to be observed.

The Collector how to be guided in the decision of such suits.

The Collector invested with the same powers as the Civil Courts in issuing all process.

Except the execution of decrees.

V.

All decisions to be notified by the Collector to the Judge of the Court by which the suit was referred.

V. All decisions passed by the Collectors under the provisions of this Regulation, shall be notified as soon as practicable, under the Collector's official seal and signature to the Judge of the Court, by which the suit may have been referred; and the whole of the papers received, and proceedings held in the case, shall at the same time be transmitted to that Court, with a final return to the precept by which it was referred. In cases in which a specific sum shall have been adjudged to be due, or any costs or damages awarded, the Collector's award shall be executed by the Judge, under the usual process of the Civil Court, immediately on his receiving the Collector's return as directed; and generally whatever may be ordered by the summary judgment of the Collector, consistently with the Regulations, shall be carried into execution by the ordinary process of the Civil Court.

The Collector's award to be executed by the Judge.

The parties are competent to appoint any Vakeel or Representative they may think proper.

VI. It shall be competent to the parties in all suits, the cognizance of which is hereby vested in the Collectors of Revenue, to employ any agent, vakeel or representative, whom they may think proper to appoint, to act and plead in their behalf, provided such agent, vakeel or representative, be duly empowered by the parties. The rate of remuneration to such agent or vakeel shall be left to be adjusted between himself and his constituent; but no greater sum shall be awarded on this account for costs payable by the party against whom the judgment may be passed than what may be deemed by the Collector a fair equivalent for the attendance of such agent.

The remuneration of such Vakeel to be adjusted between himself and constituent.

VII.

VII. No other pleadings shall be required from the parties in such suits than a plaint and answer, provided that if the parties should, at any time, wish to file an amended plaint, or an amended answer, or any explanatory motion, such subsidiary pleadings shall be received.

No other pleadings requisite than a plaint and answer.

VIII. The Mooktarnamas or Vakalutnamas, and the pleadings and final decree in such suits, shall be written on stampt paper of the value of eight annas, whatever may be the amount of the suit, and no fees shall be taken on exhibits, tendered in the cause, or for the witnesses required by the parties, nor shall it be necessary for the parties to present a written motion on stampt paper for the filing of such exhibits, or for the summoning of such witnesses.

Pleadings, &c. to be written on stampt paper of the value of eight annas.

No fees to be taken on the exhibits.

IX. It shall be competent to the Collectors to hear and determine such suits in whatever part of the district they may occasionally be, or reside, provided that every hearing and decision be in public Cutcherry, or in some other place open to the public, and in the presence of the parties, or of their constituted agents or vakeels, if in attendance.

Collectors competent to determine such Suits in any part of the district provided the proceedings be held in public.

X. Any person who may be dissatisfied with the summary judgment of a Collector passed under this Regulation, and may be desirous of a more full and formal investigation of the merits of the case, shall be at liberty to prefer a regular suit in the local Zillah or City Court, and on the institution of such suit the proceedings held on the summary inquiry shall be filed on the record of the regular suit.

A regular Suit may notwithstanding be preferred in the Zillah or City Court.

A. D. 1824. REGULATION XV.

A REGULATION *for enabling the Magistrates and Joint Magistrates to take summary cognizance of cases of forcible dispossession from, or disturbance in the possession of land or other property, subject to a regular suit in the Civil Court.—Passed by the Governor General in Council on the 22d July* 1824, *corresponding with the 8th Sawun* 1231 *Bengal era; the 11th Sawun* 1231 *Fusly; the 9th Sawun* 1231 *Willaity; the 11th Sawun* 1881 *Sumbut; and the 24th Zekaad* 1239 *Higeree.*

Preamble.

WHEREAS it appears desirable for the better maintenance of the public tranquillity, and with a view to prevent breaches of the peace, in cases of disputed boundaries or contested claims to the possession of lands, crops, wells, water-courses and other premises, that the summary investigation in such cases which is now made in the Courts of Dewanny

wanny Adawlut, should, under certain circumstances, be conducted in the Foujdarry Court, leaving the parties, if dissatisfied with the award of the Magistrate, to institute a regular suit in the Civil Court for the final determination of their rights; and Whereas in some districts the Offices of Judge and Magistrate are now held by different persons, under the provision made for that purpose in the Second Clause of Section II. Regulation XVI. 1810; and in such instances a reference from the Foujdarry to the Dewanny Court, as prescribed in the First Clause of Section V. Regulation VI. 1813, might not always ensure the prompt inquiry and decision which are essential to the object of the summary process therein provided for; the following rules have been enacted to be in force from the date of their promulgation throughout the provinces subject to the presidency of Fort William.

Modification of certain rules relative to cases of forcible dispossession from land &c.

II. The provisions of Regulation XLIX. 1793. Regulation XIV. 1795, Regulation XXXII. 1803 and Regulation VI. 1813, which relate to the summary investigation of cases of forcible dispossession from land, and other property, or forcible disturbance in the possession thereof, are hereby declared subject to the following modifications.

Magistrates and Joint Magistrates how to proceed when disputes likely to lead to a breach of the peace exist regarding the possession of land, &c.

III. Whenever it may appear to a Magistrate, or a Joint Magistrate, from the report of a police officer, or from any proceeding in the Foujdarry Court that disputes exist, concerning any lands or premises, or the right to water for purposes of irrigation likely to terminate in a breach of

of the peace if not speedily adjusted, the Magistrate or Joint Magistrate shall address purwannahs to the parties, calling on them to attend the Foujdarry Court in person or by vakeel, and to deliver a written statement of their possession, and to adduce proof of their having been dispossessed or disturbed in their possession by the adverse party, whereupon the Court, after an investigation of the statements and evidence of both parties shall proceed to pass a summary decision on the merits of the case, and the party in whose favor judgment may be passed shall be maintained in possession, until the award may be altered or reversed on the institution and decision of a regular suit in the Civil Court.

Summary decision to be passed subject to a regular suit in the Civil Court.

IV. The Magistrate by whom the summary investigation may be conducted in conformity with the preceding rule, shall, when he summons the parties to plead their respective claims, forward a copy of his proceeding to the Civil Court of the City or District wherein the dispute may have arisen, in order that no investigation of the same case may be entered upon in the Civil Court, otherwise than on the institution of a regular suit, and in the event of a summary suit between the parties being at that time pending for trial in the Civil Court, the Judge or Register, (as the case may be,) shall forward the proceedings of the suit to the Magistrate for his consideration and orders.

Information to be furnished to the Civil Court.

V. It is intended by the provisions of this Regulation that the right to possession should alone be determined summarily by the Foujdarry Courts, in order to secure the public peace.—It shall not therefore be competent to the Magistrates to award damages in such cases, and all parties who may

Magistrates and Joint Magistrates not authorized to award damages in such cases.

may have claims to urge for loss of crops or injuries sustained from dispossession, shall be referred to the Civil Court for redress under the rules at present in force.

No appeal from the Summary decisions of Magistrates in such cases to be admitted except on the ground that the case was not cognizable by the Magistrate under this Regulation.

VI. It is hereby declared that as the summary process authorized by this Regulation is subsidiary to a regular suit in the Zillah or City Civil Courts, no appeal shall be admissible against the judgments passed by the Zillah or City Magistrates, or Joint Magistrates, unless the ground of appeal be the irrelevancy of the Regulation to the case appealed; on which ground only the Court of Circuit of the division is authorized to receive an appeal if preferred at the sudder station of the Court within one month of the date of the summary decision in pursuance of the general rule prescribed in Section V. Regulation III. 1821.—The Court of Circuit after receiving the appeal, and calling for the proceedings in the case, shall dismiss the same with costs, if the stated ground of irrelevancy shall not appear to be established. If on the other hand the provisions of this Regulation appear inapplicable to the case, the Court of Circuit shall reverse the irregular judgment given by the Magistrate or Joint Magistrate, and pass such further orders thereupon as they may think just and proper, in pursuance of the Regulations in force, which may be applicable to the circumstances of the case.

The Court of Circuit how to proceed when such appeals may be preferred.

A. D. 1824. REGULATION XVI.

A REGULATION *for rescinding and modifying certain parts of the existing Regulations relating to the collection of Stamp Duties.— Passed by the Governor General in Council on the* 18*th November* 1824, *corresponding with the* 4*th Aughun* 1231 *Bengal era; the* 12*th Aughun* 1232 *Fusly; the* 5*th Aughun* 1232 *Willaity; the* 13*th Aughun* 1881 *Sumbut; and the* 26*th Rubee-ul-uwal* 1240 *Higeree.*

Preamble.

WHEREAS it is the intention of Government, with a view to prevent the forgery of Stampt Paper, to cause Stamps of a high value, to be impressed on paper specially manufactured in Europe for that purpose, and bearing in water-mark the device of the East India Company's Arms, with the following words, in addition to the ordinary legend of the said Arms, that is to say, the words *Government Stamp*, in English, and corresponding words in the Bengallee language and character, and in the Hindoostanee language and Nagree character, and the words Ulamut Hukoomut Kumpanee in the Persian character, and the said impression will supersede the necessity of causing the paper

to

to be authenticated in the manner prescribed in Section VI. Regulation I. 1814; and Whereas it appears unnecessary to continue the said authentication on stampt paper, of any description, of which the value may be less than eight annas, for each piece, and it is otherwise expedient to modify certain parts of the existing Regulations relating to this branch of the public Revenue, the following Rules have been enacted to be in force, within the Provinces belonging to the Presidency of Fort William, from and after the expiration of six weeks from the date of their promulgation.

Water mark paper, or paper of a value, not exceeding four annas per piece, need not be authenticated.

II. Stampt Paper of whatever value, being paper of the description specified in the Preamble of this Regulation, as well as Stampt Paper of a value, not exceeding four annas for each piece, shall and may be sold and distributed, without being authenticated in the manner prescribed in Section VI. Regulation I. 1814. Provided however, that paper of the above description or value, though bearing such authentication shall nevertheless be current as heretofore. The rule contained in the aforesaid Section shall continue to be observed in regard to all Stampt Paper of the value of eight annas and upwards, not being paper of the description specified in the preamble of this Regulation. But it shall be competent to Government to alter, modify, or rescind that rule by an Order in Council, in such manner as may from time to time be judged expedient, or by a like order to cause any new or additional device or legend to be impressed on the Stampt Paper.

Certain provisions rescinded.

III. Sections IX. XI. and XII. Regulation I. 1814, with so much of Section XVIII. of that Regulation as refers to Mookhtearnamahs, and Sections XVII. XVIII. XIX. and XXVI. Regulation XXVI. 1814, excepting so much of Section XIX. as relates to Security Bonds (Malzaminee, fail Zaminee

or

or Hazir Zaminee) taken by or by order of any Court, Collector, or other Judicial or Revenue authority, are hereby rescinded.

New Stamp duties prescribed for certain deeds, instruments, and writings.

IV. From and after the date specified in the Preamble of this Regulation, Stamp Duties shall be chargeable on the deeds, instruments, and writings, specified in the Schedule, (No.1) annexed to this Regulation, at the rates therein set forth, and no instrument, deed, or writing of the descriptions specified in the said Schedule (saving of course what may be therein declared to be exempted) shall be written or printed on any paper, parchment, vellum, taur-leaf, or other material applicable to such purpose, unless the same shall have been first duly stampt with a Stamp, denoting, and expressing the duty prescribed for such deed, instrument, or writing. Provided however, that if any of the deeds or instruments specified in the said Schedule shall require for their due engrossment two or more rolls of paper, it shall be sufficient that one of the rolls is stamped with the prescribed Stamp, provided the roll or sheet so stamped shall bear the signatures of the party or parties and of the attesting witnesses.

Lands how to be valued.

V. The valuation of lands and other property affected by deeds, instruments, or writings chargeable with a Stamp Duty, rated by the value thereof, shall be made, in conformity with the provisions contained in Section XIV. Regulation I. and Section XXIII. Regulation XXVI. 1814, as explained by Section V. Regulation XIX. 1817.

Penalty for employing Paper not bearing the prescribed Stamp.

VI. *First.* If any person or persons shall after the date specified in the Preamble of this Regulation, write or engross or cause to be written or engrossed on any vellum, parchment, paper or other material, any of the matters or things on account of which such material would be chargeable with Stamp Duty under the rules of this, or any other Regulation in force, before

fore the said material shall have been duly stamped, or if any person shall after the said date in any manner make, sign or execute, or knowingly accept or negotiate any deed, instrument or writing chargeable with a Stamp Duty that may not have been executed on paper, or other material duly stamped, such person or persons shall forfeit for every such offence a sum equivalent to twenty times the value of the Stampt Paper, which ought to have been used.

Or evading the rule by executing deeds out of the provinces.

Second. The same penalty shall be forfeited, paid, and levied by and from any person or persons ordinarily resident within the provinces, to which this Regulation extends, who may execute, or cause to be executed in any place on the Continent of India, not being within the said provinces, any deed, instrument, or writing of the description chargeable with Stamp Duty, with the intention of evading the payment of the prescribed duty, and also by and from any person or persons who may knowingly accept or negotiate any deed, instrument or writing so executed.

No deed executed in any place on the Continent of India shall be received in any Court, unless written on paper bearing the prescribed Stamp.

Third. Provided also that no deed, instrument, or writing, executed in any place whatsoever on the Continent of India, and relating to the payment, receipt, sale, conveyance, assignment, or transfer of any property, real or personal, being within any province or place to which this Regulation extends, or of any interest in such property, or to any agreement, contract, engagement, or settlement, to have effect within any province or place as aforesaid, such deed, instrument or writing being of a description chargeable with Stamp Duty under the rules of this or any other Regulation (saving and except Bills of Exchange bonâ fide drawn out of the said provinces) shall be admitted in evidence, or otherwise received or filed in any Court of Judicature or other Public Office, unless

unless the paper, vellum or other material on which such deed, instrument, or writing may be written shall be stamped with the Stamp prescribed for such deed, instrument, or writing.

Fourth. Provided further, that no Bill of Exchange drawn on any part of the Continent of India, and payable within any province or place to which this Regulation extends, shall be negotiated within any such province or place, unless the same shall first be stamped with the Stamp prescribed by this Regulation for a bill of the like amount, or unless a copy thereof executed on paper bearing such a Stamp shall be prepared and attached to the original bill, with the signature of the person endorsing such original. Any violation of this prohibition shall subject the parties offending to the same penalties and forfeitures, as are prescribed for the case of persons executing deeds or instruments within the provinces, to which this Regulation extends, on paper not duly stamped.

Foreign bills of Exchange not to be negotiated without payment of prescribed Stamp duty.

Fifth. Provided however, that if any person or persons writing or engrossing or causing to be written or engrossed any matter or thing chargeable with a Stamp Duty upon unstamped paper, vellum, parchment or the like, or any person or persons accepting or becoming possessed of any deed or instrument so written on unstamped paper, or desirous of negotiating or benefiting thereby shall voluntarily carry the same to the Collector, and shall pay to that Officer the entire amount of duty chargeable thereupon, together with the amount hereinafter provided, the Collector shall transmit the deed, instrument or writing to the Superintendent of the Stamp Office, for the purpose of being duly stampt, and the person aforesaid shall not be liable to the penalty declared in the preceding Clause, that is to say, if the deed, instrument or writing originally executed on unstamped paper, shall

Holders of Instruments written on unstamped Paper, on what conditions to get them duly Stampt.

shall be brought to be stamped in the manner abovementioned, at any time before the money conditioned or directed to be paid or any part thereof, or the act conditioned to be done shall be due, but not later than thirty days from the date of the execution of the deed, instrument, or writing, or (in the case of deeds and instruments not conditioning the payment of money, or the performance of any contract within a specific period) at any time, within thirty days of the execution of the deed or instrument, the party shall pay a sum equal to five times the value of the Stampt Paper, which ought to have been used, if the deed or instrument aforesaid shall not be brought in the manner abovementioned, within the period above specified, the party bringing it shall pay a sum equal to ten times the value of the Stampt Paper, which ought to have been used. Provided also, that in the case of Bills of Exchange, which may be payable on demand, or which may be made payable at a certain date after sight, and which may not have been presented for payment, the maturity of such bills shall be calculated by allowing, for the presentation of them a period of two weeks, in addition to the time required for their transmission to the place on which they may be drawn, by the public dawk.

If within thirty days.

If after thirty days.

Penalty in case of the employment of paper stamped with too low a stamp.

Sixth. In case any deed, instrument or other writing liable to a Stamp Duty shall have been executed on paper, parchment, vellum or other material stamped for a rate or amount of duty less than what may be the rate or amount chargeable on account of the matter or thing that may have been engrossed or written thereupon, the like penalties shall attach as have been provided by the preceding rules of this Section, that is, a sum equal to twenty times the excess of the proper stamp above the value of that which may have been used shall be forfeited, if the error of the stamp be discovered

discovered otherwise than by the voluntary production of the deed, instrument, or writing, by the party or parties concerned, and a sum equal to five or ten times the said excess, if the party shall voluntarily bring such deed to have the proper stamp affixed within the periods above stated respectively.

Seventh. Provided however, and it is hereby enacted that in case any deed or instrument chargeable with a Stamp Duty shall have been executed on unstamped paper, or other unstamped material, or on any material bearing a stamp of an amount not equal to the duty chargeable upon such deed or instrument, then, if the person executing such deed, or any other party interested shall establish to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, that the irregular execution of the deed or instrument was owing to accident or inadvertence, or to any unavoidable cause, it shall be competent to the above-mentioned authority, in case they should think proper to do so, to remit part or the whole of the penalties above enacted, and to cause a proper stamp to be affixed to such unstamped, or improperly stamped instrument, on the payment of the actual amount of duty chargeable thereupon. It shall also be competent to the Board, or other authority aforesaid, in cases in which, under special circumstances, it shall be proper or expedient, to direct the Collector to grant to the party a paper bearing the prescribed stamp, certifying thereon the amount paid, and the nature and date of the instrument on account of which it may have been levied, and authorizing the party to file, exhibit, and record the same in any Court or Public Office with such certificate and authority annexed; and on the production of such certificate and authority duly annexed to the instrument, the latter shall be filed, recorded, received, and enforced

Provision for cases of accident or inadvertence.

forced in the same manner as if it were executed on paper bearing the prescribed stamp.

Board authorized to cause a Stamp to be impressed on deeds and instruments executed on unstampt Paper previously to the enactment of this Regulation.

Eighth. It is further hereby declared to be competent to the Board of Revenue, or other Board or Commission exercising the powers of that Board, to authorize and direct the prescribed stamp to be affixed to any deed, instrument, or writing, which may have been written on unstampt Paper, previously to the enactment of this Regulation, on the payment, by the party holding or desiring to benefit by such deed, instrument, or writing, of such a fine as the said Board may judge fit to demand: and any deed, instrument, or writing so stamped, shall be, and be considered equally valid as if it had been originally written and engrossed on paper bearing the proper stamp, any thing in the existing Regulations to the contrary notwithstanding.

Applications in such cases how to be made.

Ninth. Persons desiring to have the proper stamp affixed to deeds or instruments written on unstampt or stampt paper of an inadequate value, without the payment of the prescribed penalty, may make application for that purpose, either directly to the Board, or to the Collector or other Officer in charge of the Stamp Office. In cases in which application may be made to the Board, that authority will either investigate the case themselves, or refer it for report to the Collector as they shall judge most convenient, and in all cases, in which the party may apply to the Collector or other Officer aforesaid, it shall be the duty of such Officer forthwith to hold proceedings on the case, and to submit a report on the circumstances of it to the Board, to which he may be subordinate, with as little delay as practicable.

VII. *First.* Any person or persons filing, or exhibiting, or recording, or causing, or procuring to be filed, exhibited or recorded for the purposes of proof, information, registry, or for any purpose or in any manner whatsoever, in any Court of Justice or in the Office of any Collector, Register, or other Public Officer, any deed, instrument, petition, pleading, or other writing of the description required to be written on Stampt Paper, which may not be written on the prescribed Stampt Paper, whether the said person or persons be himself the party interested in the case or matter on account of which such deed, instrument, petition, pleading, or writing may be filed, exhibited or recorded, or be the Vakeel or Mookhtar of such party, or be a Ministerial Officer of such Court or Office, save and except the cases provided for in Section VIII. of this Regulation, shall besides dismission from Office (if the offender be an Officer of Government or authorized Vakeel of Court) forfeit to Government a sum equal to twenty times the value of the Stampt Paper on which such deed, instrument, petition, pleading, or writing ought to have been written.

Penalty for filing or recording Papers not executed on paper bearing the prescribed Stamp.

Second. Any Vakeel or authorized pleader attached to any Court of Judicature, any Cazee, or Public Officer whatsoever, who may draw up any deed, instrument, or other writing required to be written on Stampt Paper, on paper or other material not bearing the prescribed Stamp, or who may attest, register, or record any deed, instrument or writing, which may not be written on the prescribed stampt Paper, or who may prepare for the purpose of being authenticated, a copy of any deed, instrument, or writing on paper or other material not bearing a stamp of the same value, as is prescribed for the original of such deed, instrument, or writing, shall besides dismission from Office, forfeit to Government a sum equal to twenty times the value of the Stampt Paper on which

Penalty for Vakeels and others preparing papers without the prescribed Stamps.

which such deed, instrument or writing ought to have been written.

No exception on account of over value.

VIII. No exception shall be taken to any deed, instrument, or other writing, on the ground that the stamp which may have been used is not of a proper denomination, or rate of duty, provided the stamp or stamps used equal or exceed in value the stamp or stamps, which under the provisions of this Regulation ought to have been used.

Stamps to be Stampt on such Paper, and in such manner as Government directs.

IX. *First.* So much of Regulation I. 1814, as prescribes that the Stamps specified in Section V. of that Regulation shall be stampt at the Office of the Superintendent of Stamps, together with such parts of the said Regulation as prescribe, or can be construed to prescribe, the use of any particular description of paper, are hereby rescinded; the aforesaid stamps as may hereafter be used shall be impressed at such place, and in such manner, and on such paper or other material, as the Governor General in Council may, from time to time, direct.

Board of Revenue to cause proper dies, &c. to be prepared.

Second. In further modification of Section V. Regulation I. 1814, it is hereby enacted, that it shall be competent to the Board of Revenue, with the sanction of Government, to cause such sets of Stamps to be prepared, as may appear to them best suited for expressing and denoting the several Stamp Duties directed to be raised under this or any other Regulation; and to direct the employment of two or more Stamps to denote and express the amount chargeable on any single piece of vellum, parchment, paper, or other material, provided however that the Stamps impressed at the Office of the Superintendent of Stamps, or other place, appointed in lieu of it, shall always correspond in number and value with the Counter-stamps impressed at the General Treasury, and that all

all dies shall besides the words denoting their value contain the following words, that is to say, those used at the Office of the Superintendent of Stamps or other place aforesaid shall contain the words *Stamp Office*, and the Counter-stamp impressed at the General Treasury shall similarly contain the words *General Treasury*.

Such Officers to be appointed to the management of Stamp Concerns in each District, with such remuneration as Government may judge fit. Rules regarding appointment of Stamp-venders likewise modified.

X. So much of Section X. Regulation I. 1814, as prescribes that a single Office only shall be established in each District, for the superintendence of the sale of Stamps, and as fixes the mode and extent of remuneration to be granted to the Officer in charge of the said Office, together with such part of the aforesaid Section as prescribes or can be construed to prescribe that licenses for the sale of Stampt Paper shall be granted only to Natives of India, is hereby rescinded. The rules contained in the aforesaid Section, which refer to the form of Sunnud to be granted to, and engagements to be executed by the licensed venders of Stamps, are likewise declared to be subject to the modifications hereinafter prescribed. Such Offices shall be established for the above purpose in the several Districts, as the Governor General in Council shall from time to time direct, and Government further reserves to itself the power of determining from time to time the remuneration to be assigned to the Officers, vested with the charge of the several Stamp Offices, now established or hereafter to be established, and similarly of fixing from time to time, the limits within which the said Officers shall exercise the powers and perform the duties in this behalf ordinarily vested in Collectors of Land Revenue by Regulation I. 1814. Provided also, that all rules contained in this or any other Regulation now in force, or hereafter to be enacted, which have reference to the powers and functions exercised or emoluments enjoyed by the said Collectors, shall in matters of, or belonging to the Stamp Revenue, be held applicable

plicable to all other public Officers who may be vested with the charge of a Stamp Office under the above rule, unless otherwise specially provided. The Collectors or other Officers in charge of a Stamp Office, shall with the sanction of the Board of Revenue, or other authority exercising the powers of that Board, authorize such persons to sell stamps as may appear proper. Provided however, that all such persons shall be furnished with a license in the form No. 2, anneexd to this Regulation, and that a list of all licensed Stamp Venders shall be stuck up in a conspicuous place in the Cutcherry of the Collector of the District and in the Court-room of the nearest Dewanny Adawlut, or in such other place or places as the Board of Revenue, or other authority aforesaid, shall direct. Provided also, that all persons now appointed or authorized, or who may hereafter be appointed, or authorized to sell Stamps, under the authority of the Collector or other Officer in charge of a District Stamp Office, shall enter into an engagement, according to the form No. 3, annexed to this Regulation, and shall furnish adequate security for the due performance of the several stipulations therein contained, subject to the several penalties hereinafter specified: Provided also, that it shall and may be lawful for the Board of Revenue to require venders or distributors of Stamps to come under such further engagements as may appear necessary, and as may be legally required from them: any thing in the existing Regulations to the contrary notwithstanding.

Appointment of venders how to be made.

Conditions of appointment.

XI. *First.* All authorized Stamp Venders shall at all times have their respective licenses, together with a copy of the Schedule annexed to this Regulation, duly authenticated by the Official Seal and Signature of the Collector or other Officer, by whom they may have been licensed, stuck up

Venders always to have stuck up for general inspection, a copy of the Schedule of Duties, together with their respective licenses.

up in a conspicuous place in the Cutcherry-room or other place in which they may sell the Stamps: and shall further stick up such a notification on the outer door of their Cutcherry or House as the Collector or other Officer may direct, that the public may be fully apprized of their appointment. Any disobedience of this rule will subject the party offending to a fine of fifty Rupees.

And further to notify their appointment as may be directed.

Penalty for neglect.

Second. All Stamped Paper sold by authorized Venders, or otherwise delivered to individuals for use, shall be endorsed by the vender or other person delivering the same with his signature, written in the manner commonly used by him, and the vender or person aforesaid shall further inscribe on the back of each sheet or piece of such paper, the date of such sale or delivery. Any vender or distributor giving out Stamped Paper or the like without writing, at the back of each sheet or piece, his name as aforesaid, and the date of sale or delivery, shall forfeit for every such offence the sum of fifty Rupees, provided the value of the paper sold do not exceed the sum of sixteen Rupees; but if the value of the paper so sold without signature exceed the sum of sixteen Rupees, then the vender shall for every offence so committed forfeit a sum equal to three times the value of the paper so illegally sold by him. Any vender or distributor writing a false date at the back of paper, vellum, or parchment, given out by him, shall forfeit the sum of one hundred Rupees for every such offence, or if the value of the stamp sold exceed that amount then he shall forfeit six times the value of such Stamp Paper, besides being liable to the penalty of his Bond in case of any breach of it's stipulations.

Stamp venders to endorse Paper sold by them.

Penalty for neglect.

Penalty for writing a false date.

Third. No Vender or distributor of Stamps shall give out, or deliver any Stamped Paper, or the like without having previously received the full amount of the duty denominated

Venders not to sell Stamps at an inadequate price.

nated by the Stamp or Stamps thereon impressed, unless otherwise specially permitted or directed by the Collector or Board of Revenue, and any Vender or distributor who may, without a special direction, or permission in writing from the Collector or Board aforesaid, give out or deliver any Stamped paper, vellum, parchment, or the like, without having received the entire amount of duty, denominated by the Stamp or Stamps affixed thereto, shall forfeit for each and every piece of paper or other material aforesaid so given out, or delivered by him, the sum of fifty Rupees, besides being held responsible for the amount, which should have been taken in case of it's not being afterwards recovered. And any person taking or receiving Stampt Paper, without having paid the entire amount of duty as aforesaid, shall forfeit a like sum for each and every piece of paper so received or taken by him.

Penalty for selling or delivering without receiving the full price.

Penalty for purchasing at an inadequate price.

Fourth. All venders and distributors of Stamps shall comply with all applications made to them for the purchase of Stampt Paper or the like, with as little delay as practicable, and any vender or distributor being applied to for Stamped Paper or the like, and having in his possession the description of paper required, shall, in case of refusal or wilful delay to furnish the same to the person applying for it, and tendering the value in coin of the established currency or in notes authorized by Government to be received in payment of the public Revenue, forfeit for every such offence the sum of fifty Rupees.

Penalty for refusing or delaying to deliver paper.

Fifth. No vender or distributor of Stamps shall, on any plea or pretext whatsoever, take, receive, or demand a higher price for the Stamps sold or delivered by him, than the sum denoted by the Stamp or Stamps impressed on the paper,

No vender to take more than the prescribed price for Stamps sold by him.

per, parchment, or the like, so sold or delivered, or any fee, reward or consideration for furnishing Stamps to persons applying for them. Any vender or distributor who upon furnishing Stamped paper, parchment, vellum, or any other article bearing a stamp, to any individual for use, shall, as a consideration for furnishing the article, or on any other pretext, take or demand a higher price than the amount that may be denoted by the impression of the Stamp or Stamps upon such paper, parchment, vellum or the like, shall forfeit for every such offence the sum of Sicca Rupees one hundred.

Penalty for taking or demanding more than just price.

Sixth. All persons licensed to vend or distribute Stamps shall keep such accounts of the paper received and delivered by them, as the Board of Revenue may direct, and shall furnish the Collector with such copies or extracts of those accounts and at such periods as he may from time to time require. The said persons shall regularly pay to the Collector all money received by them, on the sale of Stamps entrusted to them, on account of Government, at such periods as the said Officer may appoint, and shall at all times when required permit the Collector or other person duly authorized by him to inspect the accounts kept by them, and to examine the store of Stampt Paper or the like, which they may at any time have in their possession.

Accounts to be kept by venders.

Venders regularly to pay money received by them on sale of Stamps.

Seventh. Any vender or distributor failing to produce before the Collector, to whom he is subordinate, any of the accounts required to be kept by him after requisition made in writing by that Officer on the day fixed in such requisition, and failing to account for such omission, to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, shall forfeit the sum of Rupees fifty, and shall further be subject to such daily fine, for every day beyond the date fixed in such requisition, for the

Penalty for refusal or neglect to produce accounts.

the production thereof, until the day when the accounts may be produced, as the Board or other authority aforesaid may impose.

Penalty for withholding accounts and store of Paper from inspection of Collector.

Eighth. Any vender or distributor refusing to permit the Collector or other person, duly authorized by a writing, under the seal and signature of that Officer, to inspect the said accounts, and examine the store of Stamped Paper, at the time in the custody of such vender or distributor, immediately upon demand, shall forfeit for every such refusal the sum of one hundred Sicca Rupees, and shall further be subject to such daily fine until he complies, as the Board of Revenue may direct.

On resignation or dismission, paper and accounts to be delivered up.

Ninth. When the license of any vender or distributor may be withdrawn or upon resignation, all Stampt Paper or other article remaining in store at the time of such removal or resignation, and all accounts regarding the sale and distribution of Stampt Paper or the like, at any time delivered to him, together with the balance of all money or monies, which may have been realized by the sale and distribution thereof up to the date of the said removal or resignation, and which may not have been already paid or accounted for to the Collector of Stamp Duty, and likewise the Sunnud, Perwannahs, or other Documents, which the said vender or distributor may have received from that Officer, shall be forthwith delivered over to the Collector, or to such person or persons as he may appoint by a writing under his hand and seal to take charge thereof, receiving for such parts of the Stampt Paper or the like as may have been furnished to him, under the provisions of Clause V. Section XVI. of this Regulaton, the amount actually paid by him for the same as therein directed. In case any vender or distributor so removed or resigning shall refuse or fail to make over the said accounts and stores, and the

the balance of the accounts in cash or any part thereof, he shall forfeit for such failure or refusal a sum equal to treble the amount and value of the stamps and money, which may appear from the accounts kept at the Collector's Office, to be in the possession of such vender or distributor, together with such daily fine, until the papers, accounts and documents required are furnished, as the Board or other authority aforesaid may direct.

Tenth. In case of the death of any vender or distributor, the Collector shall in like manner be empowered to demand from the heir and person administering to the estate of, or representing the deceased, or other person in charge of his effects, the remainder of any store of Stamped paper, vellum, parchment, or the like in the possession of such vender or distributor at the time of his decease, together with all accounts of the sale or distribution thereof, and all Sunnuds, Perwannahs, and other documents or writings as aforesaid that may be forthcoming amongst the effects of the deceased, and in the event of any refusal on the part of the heir, administrator, or other person in charge of the effects of the deceased, to deliver the same, or of refusal to allow search to be made, whenever the Collector may demand to make search for the said stores or accounts, such heir or administrator, or other person in charge of the estate shall forfeit for every such offence the sum of fifty Rupees, together with such daily fine, until the papers, accounts, and documents required are furnished, as the Board or other authority aforesaid may direct.

Also on death of vender.

Eleventh. Provided also that it shall be competent to the Collector in the cases specified in the two preceding Clauses, as well as in all cases, in which a vender or distributor may fail or delay to account for and make good the value of

In case of deficiency Collector may proceed against parties.

of any Stampt Paper or the like, with which he may have been furnished for sale on account of Government, immediately to call upon the surety or sureties of the said vender or distributor to make good the deficiency of money or paper, and on their failure to do so, to proceed against all or any of them, either by putting their bond in suit or summarily in the manner hereinafter authorized.

Collector may issue search warrant.

Twelfth. Provided further that on the failure or refusal as aforesaid of any of the parties specified in the four preceding Clauses, it shall and may be lawful for the Collector to issue a search Warrant, under his Official Seal and Signature, for the discovery of any paper, money or accounts which the said parties may withhold: such warrants to be executed under the same rules and restrictions as are applicable to those issued by Officers in charge of the Abkaree Mehal.

Penalty for filing or recording paper not duly endorsed.

XII. *First.* If any deed, instrument, petition, pleading, or other writing required to be written on Stampt Paper, and written on the prescribed Stampt Paper, shall be filed, exhibited or recorded in any Court of Judicature or public Cutcherry, or before any Judge, Collector, Register, or other public Officer, not having the signature of a licensed Stamp Vender, or other person duly authorized to sell or distribute Stamps, endorsed upon it, the person or persons, filing, exhibiting or recording the said deed, instrument, petition, pleading, writing, or causing or procuring it to be filed, exhibited or recorded, shall forfeit a sum equal to five times the value of the said Stampt Paper

Proceeding to be followed in case of forged Stamp being filed.

And if any deed, instrument, petition, pleading or document shall be filed, exhibited or recorded as aforesaid, having a forged or counterfeit stamp, or signature, the person filing, exhibiting or recording such deed, instrument, or document, or causing or procuring it to be filed, exhibited, or recorded, shall forfeit to Government, a sum equal to twenty times the value

lue of the Stamp, which ought to have been used, unless the material on which the same may be executed shall bear the signature and date required by Sections XI. XIV. and XV. of this Regulation, and the party shall be able to shew that the material stamped with a forged Stamp, was purchased or obtained on the date specified on the back, and from the individual whose name may be there signed. If the said signature and date shall be duly endorsed on the back of the material stamped as aforesaid, with a forged impression, and the proof adduced to the fact and date of purchase be deemed by the Judge or other Officer, before whom or in whose Office the deed, instrument, or other writing may have been filed, exhibited, or recorded, to be sufficient, that Officer, if not himself the Collector, shall transmit the document to the Collector, with a communication of his judgment in the case, and the Collector, on payment by the party of one half the established duty chargeable on account of the matter of the instrument or deed in question, shall forward it to the Superintendent of Stamps in order that it may be duly stampt.

Persons discovering forged Stamps in their possession, how to proceed.

Second. If any person shall discover that any deed, instrument or document in his possession is written on paper or other material bearing a forged or counterfeit signature or stamp, such paper or other material bearing the signature and date required by Sections XI. XIV. and XV. of this Regulation, and shall state the circumstance to the Board of Revenue, or other authority exercising the powers of that Board, or to the Collector or other Officer in charge of the Office, established for the sale and distribution of Stamps, the said person shall on proving to the satisfaction of the Board of Revenue or other authority exercising the powers of that Board, that the paper or other material in question was purchased or obtained on the date specified on the back, and from the individual whose name may be there signed, be entitled to have the

the said paper or material duly stampt without any fee or charge.

Decision of the Board regarding penalties in what cases to be final.

XIII. *First.* The decision of the Board of Revenue or other authority exercising the powers of that Board, shall be final in regard to all forfeitures and penalties to which venders or distributors of Stamps may become subject for any breach of the rules prescribed in Sections X. and XI. of this Regulation, or for any violation of the stipulations inserted in their engagements. The Board or other authority aforesaid shall and may determine the forms and process to be followed by the Collectors in such cases, and the rules, according to which their own proceedings are to be regulated, with reference to other cases in which the Revenue authorities are vested with Judicial Powers.

Penalties and balances due by venders or distributors how to be recovered.

Second. Such penalties, when adjusted by the Board or other authority aforesaid, as well as all balances of cash due from the said venders or distributors, or from any Officer of, or belonging to, the Stamp Department, shall and may be recovered by the Collectors from the persons or Officers aforesaid, or from their sureties by the same process, as it is or may be lawful to follow for the recovery of arrears of Land Revenue due from any farmer of land or his surety.

Penalties other than those above specified how to be recovered.

Third. All penalties prescribed in this Regulation, with the exception of those specified in Clause First of the present Section, shall be recoverable by a summary process in the Courts of Dewanny Adawlut, at the suit or information of the Collector or other Officer vested with the charge of the Office, established for the sale and distribution of Stamps: or in the case of writings filed, exhibited or recorded in any Public Office on the suit or information of the Officer in charge of such Office, or of any of the ministerial Officers belong-

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ing to it, or of any other individual. Provided however, that in all cases of fines and forfeitures incurred under this Regulation, whether the same shall have been adjudged by a Revenue Board, or by a Court of Judicature, it shall be competent to the Board, within the jurisdiction of which the offence may have been committed, to abate, remit, or forgive such part of the prescribed fine or forfeiture as they may judge proper, and an order from the said Board to the Collector of the District shall be a sufficient warrant to the Court, for the discharge of any person confined for non-payment of any fine or forfeiture incurred under the provisions of this Regulation.

Power of remitting penalties vested in the Revenue Boards.

Fourth. Persons giving information, which shall lead to the conviction of any person guilty of any of the acts, for which a penalty or forfeiture is declared and prescribed by this Regulation, shall on conviction of the offender, be entitled to a moiety of the fines and forfeitures levied from him. The remaining moiety is to be carried to the credit of Government: as well as all fines levied from persons voluntarily producing unstampt, or irregular stampt writings, under the provisions of Clauses V. VI. VII. and VIII. Section VI.

Rewards to informers.

XIV. In modification of the rule contained in Clause IX. Section X. Regulation I. 1814, it is hereby declared and enacted that the provisions of the Clause for the punishment of persons concerned in the unlicensed sale of Stampt Paper, shall not be applicable to the case of persons, who having bonâ fide purchased Stampt Paper for their own use, with the prescribed endorsement from one of the authorized venders or distributors, may transfer the same to another at a price equal to the amount of duty denominated by the Stamp or Stamps impressed on the paper or other material so transferred, provided however, that every person who may so transfer Stampt Paper shall endorse the same with his signa-

Modification of the rule, regarding the transfer of Stamps by one Individual to another.

Individuals how to transfer Stamps.

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ture in the presence of one or more creditable persons, and the proof that the paper was purchased as aforesaid, shall lie with the person so transferring it. Provided also, that if any individual shall sell or buy any Stampt Paper, or other material bearing, or purporting to bear the Government Stamp, for a less price, than the amount of the duty denominated by the Stamp or Stamps thereon impressed, he shall forfeit for each and every piece of paper or other material so bought or sold by him, the sum of fifty Rupees, besides being subject to punishment under the rule contained in Clause IX. Section X. Regulation I. 1814.

Individuals on what terms to be supplied with Stamps for eventual use.

XV. *First.* For the convenience of Merchants, Indigo Planters, and others, who may be desirous of having at all times in their possession papers, parchments, or the like stamped with various impressions to be used, as occasion may require in the drawing up of instruments of any of the descriptions required to be executed on materials impressed with a Government Stamp, it is hereby provided that any person desirous of obtaining a supply of Stampt Paper or other material, shall on application to the Collector of the 24-Pergunnahs, or such other Officer or Officers, as the Governor General in Council may from time to time appoint, and the payment into his Treasury of the amount chargeable on account of the Stamps required, receive a Certificate from the Collector or Officer aforesaid, stating the amount paid and the number and value of the Stamps required: and on the production of that Certificate, together with the necessary quantity of plain paper, parchment, or other material, the Superintendent of Stamps or other Officer in charge of the Stamp Office, shall cause the same to be immediately stamped at his Office, with the Stamps specified in the said document, and shall transmit the said papers, parchments, or other materials to the General Treasury, to be there impressed with the necessary Counter-

stamps.

stamps. Provided however, that no person shall be entitled to require the Collector or other Officer aforesaid to grant a Certificate in the manner above stated, unless the total value of the Stamps for which he may tender payment shall amount to the sum of one hundred Rupees, and the number of pieces of paper, vellum or other material required to be stamped shall not be less than twenty.

Receipt to be produced to Superintendent of Stamps by persons wishing to have paper Stampt.

Second. No paper, vellum, parchment or other material shall on any account be received by the Superintendent of Stamps to be stamped on account of any individual, unless the same be accompanied with a Receipt in full under the signature of the Collector or other Officer aforesaid, for the entire amount of duty which may be required to be impressed thereon, or unless the same be sent to be stamped by authority of the Board of Revenue under the powers vested in that Board by this Regulation. The receipt of the Collector or other Officer aforesaid shall in all cases specify as well the aggregate amount paid as the number and description of the Stamps required, and the exact number of sheets or pieces on which the same are to be impressed, and all such receipts shall be disposed of by the Superintendent in such manner as the Board of Revenue may direct.

Examination and authentication of Stamps delivered by Superintendent to Individuals.

Third The Superintendent of Stamps shall appoint one or more Officer or Officers of his establishment to receive and compare with the receipt of the Collector of the 24-Pergunnahs or other Officer aforesaid, all papers or the like brought to be stamped as above, and after the Stamps shall have been affixed the same Officer shall again count the whole, and sign his name at the back of each separate sheet or piece of paper, or other material, and he shall likewise note on each the date on which the said paper is ready for re-delivery, and further make an entry

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to that effect, with specification of the quantity of paper, or the like impressed with each description of Stamp in a book to be specially kept by him for that purpose. When the paper or other article shall be prepared in the manner above described, it shall be made up into a parcel, to be sealed with the Superintendent's Seal, and shall in that state be forthwith transmitted to the person, who may have sent it to be stamped, or at the Superintendent's option, notice shall be sent of its being ready for delivery when called for.

Discount in what cases, and to what amount to be allowed.

Fourth. Whenever any person or persons shall desire to send paper or other material to the Stamp Office, for the purpose of being stamped, and shall consequently pay the amount of duty in advance in the manner above required, it shall be competent to the Collector or other Officer aforesaid, in case the total amount so falling to be paid shall exceed the sum of five hundred Rupees in any one payment to allow to the party making such payment, a discount at the rate of four per Cent. upon the aggregate amount of duty leviable, or such other rate as may from time to time be appointed by the Governor General in Council, by notification in the Government Gazette, and the amount of such discount shall be charged and entered on the accounts of the Collector or other Officer aforesaid, under the head of disbursements.

Board may order Stamps to be furnished on conditions above specified to licensed venders.

Fifth. It shall also be competent to the Board of Revenue to direct and cause Stamps to be furnished in the manner prescribed in this Section to any licensed venders who may be willing to purchase the same. All such persons, however, shall in the sale of Stampt Paper so furnished to them, be subject to the same rules as are prescribed for the sale of Stamps supplied to them on account of Government. Provided however, that if such vender shall

shall resign or be dismissed, or his licence be otherwise cancelled, then and in that case, he, his representative, or assign shall deliver up to the Collector of Stamps, or to such person as he may appoint to receive it, all the Stampt Paper, Vellum, or the like furnished to him, under the provisions of this Section, or such portion as may not have been disposed of, and shall be entitled to recover a sum equivalent to the price, which he may have advanced for the same, viz. the specified amount of the Stampt Paper, or other material aforesaid, with a deduction of the discount that may have been allowed on it.

Penalty for stamping paper brought by individuals without due Certificate.

Sixth. If any Superintendent or other Officer shall fix or impress any Stamp to or upon any vellum, parchment, paper or other material, which shall be brought to the Stamp Office to be stamped or marked, without a regular Certificate from the Collector of the amount of duty having been paid, or without special authority in writing, from the Board of Revenue, he shall for every such offence forfeit the sum of one thousand Rupees. In like manner, if any Collector, or other Officer appointed to receive the Stamp Duty shall grant a Certificate of the above description, before the prescribed duty, with a deduction of the authorized discount, shall have been actually paid, such Officer shall forfeit for every such offence the sum of one thousand Rupees, besides being held responsible for the amount duty unrealized.

Also for granting a Certificate without full receipt of duty.

Penalty for procuring a Stamp to be improperly impressed or Certificate granted.

Seventh. Any Native Officer, or other person causing or procuring any Stamp to be fixed or impressed, or any Certificate to be granted in the manner aforesaid, or conniving with the Officer so fixing, or impressing any Stamp, or so granting a Certificate, shall forfeit for every such offence the sum of Rupees one thousand, and shall in addition be held answerable for the amount of the duty leviable on the paper mentioned in the Certificate.

First.

Stamps accidentally destroyed how to be replaced.

XVI *First.* Should it so happen that any parcel of papers, parchments, vellums, or the like or any single sheet or piece thereof that may have been duly stamped and obtained from a licensed Vender of Stamps or other Officer authorized to sell or distribute Stampt Paper shall have been destroyed by fire or other accident, it shall be competent to the Board of Revenue, or other authority exercising the powers of that Board, upon its being proved to the satisfaction of such authority, that the said Stamps were duly received and subsequently were destroyed by accident, after the manner asserted, to cause their Secretary on the payment of a fee of two Sicca Rupees by the owner of the paper or other material destroyed, or his representative, to deliver to him the same number of pieces of Stampt Paper, and of the same value as that which may have been destroyed.

Also soiled or spoiled Stamps.

Second. In like manner in case any Stampt paper, parchment, vellum, or the like after having been obtained in the regular manner shall have become soiled, spoiled, or unfit for use, either by consequence of any accident happening to the same, or because of error in the drawing up or copying of any instrument thereupon, which being discovered before such instrument may be finally signed and executed shall render the writing of no avail, or in which by reason of the death or refusal of the partyor parties, whose signature may be necessary to effect the transaction intended by such writing, it should be incomplete and of no avail, or in which by the refusal of any Office or trust that may be granted by such instrument, it shall fail of the purpose intended, or in the case of Promissory Notes, Bills of Exchange, or the like, if by non-delivery to the Payee, or person acting on his behalf, or other cause they shall never be brought to use; in all such cases it shall be competent to the Board of Revenue or other authority aforesaid, upon delivery being made of the Stampt paper, parchment, vellum, or the like so soiled or spoiled, to cause

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an equivalent quantity of Stampt Paper to be delivered as above provided, to the owner of the article or articles so soiled or spoiled, or to his representative on the payment of a fee of two Rupees. But this rule shall not extend to Bills of Exchange drawn in sets, of which any one of the set may have been delivered to the Payee.

Third. The owners of Stampt Paper which may be destroyed or soiled as aforesaid, may prefer their application to the Collector of the District in which they may have purchased it, and if the Collector shall be of opinion that the application ought to be complied with, he shall transmit a report of the case to the Board of Revenue, or other authority exercising the powers of that Board, to which he may be subject, and the Board or other authority shall be authorized to direct the Collector to deliver to the party or his representative, Stampt Paper equivalent to that which may have been destroyed or soiled, in the same manner and subject to the same conditions as above prescribed.

Application in such cases how to be preferred by the owner of the Stamps.

Fourth. Provided however, that no such indulgence shall be granted by authority of the Board of Revenue, or other authority aforesaid, except the total value of Stamps proved to have been destroyed or soiled by accident, or the total value of every single Stamp in the case of the material having been spoiled by being written upon shall amount to or exceed the sum of ten Sicca Rupees, and proof shall be exhibited to the satisfaction of the Board, or other authority aforesaid, that the accident or act, by reason of which the material may have become soiled, or spoiled, or destroyed or useless, occurred within the period of six weeks antecedent to the date on which application may be made for the renewal of it.

Restriction of above provision to cases in which the stamp or stamps destroyed or spoiled may exceed ten Rs. in value.

Limitation to time of application.

Board, Collectors and Superintendent of Stamps authorized to administer oaths.

XVII. It shall and may be lawful for the Board of Revenue, or other authority exercising the powers of that Board, the Superintendent of Stamps, and the Collectors or other Officers vested with the charge of Offices established for the sale and distribution of Stamps, to summon witnesses, to administer oaths and affirmations, and to take affidavits and affirmations with the same powers and authority in regard to resistance or disobedience of their orders in this behalf, and to contempts as belong to the Zillah and City Judges, in all cases where he or they shall respectively think it necessary to administer or take an oath or oaths, or affirmation or affirmations in any investigation or enquiry into any case relating to the Stamp Revenue, or in any matter or thing connected therewith, and any person giving intentionally and deliberately a false deposition on oath or solemn affirmation, when examined by the Board, or other authority, Superintendent, Collector, or other Officer aforesaid, shall be held and considered guilty of perjury, and shall be liable on conviction before a Court of Circuit, to the penalties, which are or may be prescribed for that offence; and the Zillah and City Judges shall give effect to all orders passed by the Board or Collectors, under the authority hereinbefore vested in them, for the confinement in the Dewanee Jail of persons who may refuse to swear, or to give evidence when legally required to do so, or who may be guilty of contempt.

Venders to verify accounts on Oaths when required.

XVIII. All persons appointed by the Board of Revenue, or other authority exercising the powers of that Board, to be venders or distributors of Stamps, shall verify by affidavit or affirmation their respective accounts, whenever they may be required by the Board or other authority aforesaid, to do so; and if any vender or distributor shall refuse or neglect to verify his accounts within such reasonable time as he shall be called upon to do so, by the said Board, or any member thereof, he shall for every such offence forfeit the sum of Rupees five hundred.

XIX.

XIX. *First.* So much of Regulation X. 1814, as prescribes that engagements between Government and Individuals for the provision of the Honorable Company's Investment, may be written on unstampt paper, is hereby rescinded.

Modification of Regulation X. 1814.

Second. All such engagements, and generally all deeds, instruments and writings chargeable with a Stamp Duty, which may be executed by, or to any Officer of Government, in the Commercial Department, or on account of any Commercial concern of or belonging to the Honorable Company, shall be written on Stampt Paper, of the same value as is or may be prescribed for the like deeds or instruments in the case of private Individuals.

Instruments and writings relating to matters of or belonging to the Commercial Department to be written on Stampt Paper of the same value as is prescribed for individuals

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No. 1.

SCHEDULE *referred to in the Body of the Regulation, containing the duties chargeable on Instruments of Conveyance, Contract, Obligation, and Security for Money; and on Deeds in general.*

	Sa. Rs.	As.
AGREEMENT or any Minute or Memorandum of an Agreement concerning any matter or thing of the value of 500 Rupees, or upwards, not otherwise charged in this Schedule, nor expressly exempted from all Stamp Duty, whether the same be only evidence of a contract, or obligatory upon the party, ...	8	0

EXEMPTIONS.

Memorandum of Agreement, for the hire of labour.

Ditto for the Sale of Goods, under the value of 500 *Rupees, and all Agreements carried on by letter and the like between Merchants and other persons, residing* 40 *miles from each other.*

ASSIGNMENTS if not of the nature specified under the heads of conveyances and settlements nor specially exempted, ...	8	0
BILLS OF EXCHANGE, Drafts, Promissory Notes, Hoondies, Teeps, Burats or other Order or Obligation for the payment of money		

money payable, (if payable within the provinces subordinate to the Presidency) at sight, or at any stated period, not exceeding three months after date, or ninety days after sight, (not being a deed, instrument or writing, bearing the attestation of one or more witnesses) together with all Bills of Exchange payable out of the said Provinces at whatever date.

									Sa. Rs.	As.
If for a sum of money, not exceeding						25	Rupees,	...	0	1
Above..... 25 Rupees, and not exceeding						50	ditto,	...	0	2
Ditto	50	do.	ditto	...	100	ditto,		...	0	4
Ditto	100	do.	ditto	...	200	ditto,		...	0	8
Ditto	200	do.	ditto	...	400	ditto,		...	0	12
Ditto	400	do.	ditto	...	800	ditto,		...	1	0
Ditto	800	do.	ditto	...	1,600	ditto,		...	1	8
Ditto	1,600	do.	ditto	...	3,000	ditto,		...	2	0
Ditto	3,000	do.	ditto	...	5,000	ditto,		...	2	8
Ditto	5,000	do.	ditto	...	10,000	ditto,		...	4	0
Ditto	10,000	do.	ditto	...	20,000	ditto,		...	6	0
Ditto	20,000	do.	ditto	...	30,000	ditto,		...	8	0
Ditto	30,000	do.	ditto	...	50,000	ditto,		...	12	0
Ditto	50,000	do.	ditto	...	100,000	ditto,		...	16	0
Ditto	100,000	do.	...	...	...	...	...	...	20	0

Promissory Notes, written on Paper of the above value shall not be re-issued after payment. Promissory Notes intended to be re-issued shall be charged as follows :

If for a sum of money, not exceeding						25	Rupees,	...	0	2
Above..... 25 Rupees, and not exceeding						50	ditto,	...	0	4
Ditto	50	do.	ditto	...	100	ditto,		...	0	8
Ditto	100	do.	ditto	...	200	ditto,		...	0	12
Ditto	200	do.	ditto	...	400	ditto,		...	1	0
Ditto	400	do.	ditto	...	800	ditto,		...	1	8
Ditto	800	do.	ditto	...	1,600	ditto,		...	2	0
Ditto	1,600	do.	ditto	...	3,000	ditto,		...	2	8
Ditto	3,000	do.	ditto	...	5,000	ditto,		..	4	0
Ditto	5,000	do.	ditto	...	10,000	ditto,		...	6	0
Ditto	10,000	do.	ditto	...	20,000	ditto,		...	8	0

Above

							Sa. Rs.	As.
Above	20,000	Rupees, and not exceeding...			30,000	Rupees, ...	12	0
Ditto	30,000	do.	ditto	...	50,000	ditto, ...	16	0
Ditto	50,000	do.	ditto	...	100,000	ditto, ...	20	0
Above	100,000	do.	...	...	... ...	...	32	0

Note. The Governor General in Council reserves to himself the power of admitting any Bank or Company, to compound for the Stamp Duty, chargeable on the Notes issued by it. Notice of such arrangements to be given in the Government Gazette.

Foreign Bills of Exchange, drawn in sets, for every Bill of each set, where the sum made payable thereby may not exceed four hundred Rupees, ...							0	8
More than	400	Rupees, but not exceeding			800	Rupees,	0	12
Ditto ...	800	do.		ditto	1,600	do. ...	1	0
Ditto ...	1,600	do.		ditto	3,000	do. ...	1	8
Ditto ...	3,000	do.		ditto	5,000	do. ...	2	0
Ditto ...	5,000	do.		ditto	10,000	do. ...	2	8
Ditto ...	10,000	do.		ditto	20,000	do. ...	4	0
Ditto ...	20,000	do.		ditto	30,000	do. ...	6	0
Ditto ...	30,000	do.		ditto	50,000	do. ...	8	0
Exceeding	50,000	do.		..	... ...	... ...	12	0

EXEMPTIONS.

Bills of Exchange drawn, and Promissory Notes issued by Government Officers, having authority to draw Bills upon the Government Treasuries, or to issue Promissory Notes, or other Acknowledgements on account of Government.

All Drafts or Orders, for the payment of any sum of money, to the bearer on demand, drawn upon any Bank, Banker or Agent, residing within 20 miles of the place, where such draft or order shall be issued; such place being specified on the face of the draft.

BILLS OF LADING of, or for any Goods to be exported, ...	1	0

BILLS OF SALE.

An absolute Bill of Sale, ... See Conveyances.

Bill of Sale as a Security being the principal, or only deed whereby the property is conveyed, ... See Mortgage.

Bill

	Sa. Rs.	As
Bill of Sale as a Security, being merely a collateral one, with some deed or instrument that has paid the advalorem duty prescribed for conveyances, ...	8	0

Bonds, Tumusooks, or other Deed or Instrument, or other written Obligation for the payment of money, bearing the attestation of one or more witnesses, Promissory Notes or other Obligations as aforesaid, payable at a period exceeding three months after date, or ninety days after sight.

If for any sum not exceeding.....				.....	25 Rupees,	...	0	2
Above	25	Rupees	and	not exceeding	... 50 ditto,	...	0	4
Ditto	50	do.	ditto	...	100 ditto,	...	0	8
Ditto	100	do.	ditto	...	200 ditto,	...	1	0
Ditto	200	do.	ditto	...	300 ditto,	...	2	0
Ditto	300	do.	ditto	...	500 ditto,	...	4	0
Ditto	500	do.	ditto	...	1,000 ditto,	...	6	0
Ditto	1,000	do.	ditto	...	2,000 ditto,	...	10	0
Ditto	2,000	do.	ditto	...	3,000 ditto,	...	16	0
Ditto	3,000	do.	ditto	...	5,000 ditto,	...	20	0
Ditto	5,000	do.	ditto	...	10,000 ditto,	...	32	0
Ditto	10,000	do.	ditto	...	20,000 ditto,	...	40	0
Ditto	20,000	do.	ditto	...	30,000 ditto,	...	50	0
Ditto	30,000	do.	ditto	...	50,000 ditto,	...	64	0
Ditto	50,000	do.	ditto	...	75,000 ditto,	...	70	0
Ditto	75,000	do.	ditto	...	100,000 ditto,	...	80	0
Ditto	100,000	do.	ditto	...	150,000 ditto,	...	100	0
Ditto	150,000	do.	ditto	...	200,000 ditto,	...	120	0
Ditto	200,000	do.	...	...	... ...	...	150	0

Bonds, concerning Respondentia and Bottomry, ...	Advalorem as above.
Bonds given as security for the transfer of Government Securities, or for the payment of an Annuity for a fixed period, or for the delivery or accounting for any matter or thing capable of being valued, ...	Shall be charged at the rate of the amount engaged to be paid or accounted for, or at the value of the thing to be delivered, or transferred.
Bonds for annuities for an indefinite period, such as life annuities and the like, ...	Shall be charged, at the rate of 10 times the yearly payment.

Bonds

	Sa. Rs.	As.
Bonds where the amount of the money to be secured, or ultimately recovered shall be uncertain and unlimited, ...	150	0
Where the amount is limited to a certain sum, ...	The same as on a Bond for such limited sum.	
Bonds taken as Collateral Security, with some deed or instrument that has paid the advalorem duty prescribed for conveyances or money Bonds, or as Security, for the performance of any other contract, covenant or agreement, not being for the payment of money, the transfer of property, or the satisfaction of any pecuniary demand.	8	0
Bonds of Indemnity.		
Bonds for the due execution of an office or work and all other Bonds not otherwise charged or exempted from duty. ...		

EXEMPTIONS.

Arbitration Bonds.

Bonds given to, or by the Officers of Government on account of any matter, or thing of, or belonging to the Government in its Political or Territorial capacity.

Security Bonds, which may be taken by, or by order of any Court, Collector, or other Judicial or Revenue authority, Razeenamahs, Sooluhnamas, and Ruffanamahs, filed in any suit pending in a Court of Justice, shall be charged, as prescribed in the Regulations already in force or hereafter to be enacted.

CHARTER PARTIES, or any Agreement or Contract for the Charter of any Ship or Vessel, or any Memorandum, Letter or other writing between the Captain, Master or Owner of any Ship or Vessel, and any other person for, or relating to, the freight or conveyance of any money, goods, or effects, on board of such Ship or Vessel, ...	8	0

EXEMPTIONS.

Charter Parties of Ships or Vessels taken up by Government for the conveyance of Troops or Military Stores, or for other political purposes.

Contracts,

	Sa. Rs.	As.
CONTRACTS, OR DEEDS if not otherwise charged nor exempted from duty, ...		
COPARTNERSHIP, Deeds of, ...	8	
COMPOSITION Deeds or other instruments of composition between a debtor or debtors, and his, her, or their creditors, ...		

CONVEYANCES whether grant, disposition, assignment, transfer, renunciation, or of any other kind or description whatsoever upon the sale of any Lands, Tenements, Rents, Annuities, or other property, real or personal, heritable or moveable, or of any right, title, interest or claims in, to, out of, or upon any Lands, Houses, Rents, Annuities, or other Property, that is to say, for or in respect of the principal or only deed, instrument or writing whereby the property sold shall be conveyed to or otherwise vested in the purchaser or purchasers, or to some other person, by his or their direction.

Where the purchase or consideration money therein expressed or denoted shall not exceed.....					50	Rupees,	...	0	[illegible]
Above	50	Rupees, and not exceeding.....			100	ditto,	...	1	0
Ditto	100	do.	ditto	...	200	ditto,	...	2	0
Ditto	200	do.	ditto	...	500	ditto,	...	4	0
Ditto	500	do.	ditto	...	1,000	ditto,	...	8	0
Ditto	1,000	do.	ditto	...	2,000	ditto,	...	12	0
Ditto	2,000	do.	ditto	...	3,000	ditto,	...	16	0
Ditto	3,000	do.	ditto	...	5,000	ditto,	...	20	0
Ditto	5,000	do.	ditto	...	8,000	ditto,	...	32	0
Ditto	8,000	do.	ditto	...	12,000	ditto,	...	40	0
Ditto	12,000	do.	ditto	...	20,000	ditto,	...	50	0
Ditto	20,000	do.	ditto	...	30,000	ditto,	...	64	0
Ditto	30,000	do.	ditto	...	50,000	ditto,	...	80	0
Ditto	50,000	do.	ditto	...	1,00,000	ditto,	...	100	0
Ditto	1,00,000	do.	ditto	...	2,00,000	ditto,	...	150	0
And for every further Lack of Rupees beyond 2 Lacks...								100	0

Note

Sa. Rs. As.

Note. Where, of several deeds, instruments or writings, a doubt shall arise which is the principal, it shall be lawful for the parties to determine for themselves which shall be so deemed, and to engross the same on paper, parchment, vellum or the like stamped for the prescribed advalorem duty, provided however that in all cases where there are more deeds than one, all other deeds than the principal shall be charged with a Stamp Duty of 8 Rupees, and all such deeds shall specify by their contents which other is the principal deed by which the conveyance has been effected, certifying that it is executed in the manner and on materials stamped as required.

EXEMPTIONS.

All Grants, Leases, Sales or the like wherein Government in its Political or Territorial capacity is a party.

Note. This exemption shall not extend to sales made for the recovery of arrears of Revenue or Rent, or in satisfaction of Decrees of Court, in which cases the purchaser shall be required to pay the prescribed duty along with the purchase money, and shall receive, from the Officer conducting the Sale, a Deed of Sale executed on paper impressed with a corresponding Stamp.

All Transfers of Subscriptions to any of the Government Loans or other Government Securities, also of Bank Shares.

COPIES. Copy in any manner authenticated or declared to be a true Copy or made for the purpose of being given in evidence as a true Copy of any Bond, Deed, or Instrument of Agreement, Contract, Conveyance, or of any Deed or Instrument whatsoever chargeable with a Stamp Duty.

Where such Copy shall be made for the security or use of any person being a party to, or taking any benefit, or interest immediately under such agreement, contract, bond, deed, or other instrument. } The same duty, as for the original instrument.

Where such Copy shall be made for the security or use of any person not being a party to, or taking any benefit or interest immediately under such agreement, contract, bond, deed, or other instrument, ... 8 0

Likewise

	Sa.	Rs.	As.
Likewise any Copy authenticated, or made as aforesaid, of any schedule, receipt, or other matter put or endorsed on, or annexed to any such agreement, contract, bond, deed, or other instrument aforesaid, ...		8	0

EXEMPTIONS.

Copies made for the private use only of any person having the custody of the original instrument, or of his, or her Attorney or Solicitor.

Copies of Papers, which public Officers are directed by any general Regulation, to make, require or furnish, not specially declared chargeable with Stamp Duty.

Notes. Copies of records, accounts or other documents required by Individuals from the public Offices, not specially charged with or exempted from duty, together with Copies of Decrees and Proceedings of the Courts of Judicature shall be charged in the manner, and subject to the conditions prescribed in Section XIX. Regulation I. 1814, and other provisions of the existing Regulations.

DEEDS, of any kind, not otherwise particularized in this Schedule, ...		8	0
EXCHANGES. Any deed whereby any real property shall be conveyed or surrendered in exchange for other property.			
If no sum of money shall be paid, or agreed to be paid for equality of Exchange, ...		8	0
And if any sum of money be paid, or agreed to be paid for equality of Exchange, ...	The same advalorem duty as for a conveyance for such sum.		
ENGAGEMENTS to cultivate, provide or deliver Indigo Plant, or to produce, manufacture, provide, or deliver any other article of commerce, in consideration of advances made, ...	Shall be charged on the amount advanced at the rate of Bonds or other Obligations for the payment of money payable at a period exceeding three months after date.		
LEASES. Any lease made in perpetuity, or for a term of years or period, determinable with one or more lives, or otherwise contingent in consideration of a sum of money paid in the way of premium, fine, or the like, if without rent, ...	The same duty as for a conveyance, or sale for a sum of the amount of such consideration.		

Any

	Sa. Rs.	As.
Any lease of Lands, Houses, or other real Property, at a yearly rent, without any payment of any sum of money, by way of fine or premium, ...		
Where the yearly rent shall exceed twelve Rupees, but shall not exceed twenty-four Rupees, ...	0	8
Exceeding 24 Rupees, but not exceeding 50 Rupees,...	0	12
Ditto ..... 50 ditto, - - - 100 ditto ...	1	0
Ditto 100 ditto, - - - 250 ditto, ...	2	0
Ditto 250 ditto, - - - 500 ditto, ...	4	0
Ditto 500 ditto, - - - 1,000 ditto, ...	8	0
Ditto 1,000 ditto, - - - 2,000 ditto, ...	12	0
Ditto 2,000 ditto, - - - 4,000 ditto, ...	16	0
Ditto 4,000 ditto, - - 6,000 ditto, ...	20	0
Ditto 6,000 ditto, - - 10,000 ditto, ...	32	0
Ditto 10,000 ditto, - - 50,000 ditto, ...	64	0
Above 50,000 ditto, - - ...	80	0
Any lease of Lands, Houses, or other real Property, stipulating for a yearly rent, and granted in consideration of a fine or premium,	Shall be charged with both advalorem duties above provided.	
The counterpart of any lease charged with a duty, exceeding eight Rupees, shall likewise be executed on paper, vellum, or parchment bearing a stamp of, ...	4	0

EXEMPTIONS.

All Leases or Pottas, when the annual rent shall not exceed twelve Rupees.

All Leases or Pottas given by authority of Government, or of the Board of Revenue, or other authority, exercising the powers of that Board, and of the Court of Wards; Pottahs, Cuboolyuts, and other instruments of Contract relating to the rent of land executed between any Zemindar, Talookdar, Farmer, or other Sudder Malgoozar, or any holder or proprietor of Land, exempt from the payment of Revenue, or any Mofussil Talookdar, Ijaradar, Kutkenadar, or other lease holder, or the Gomasta,

Factor

Factor or other Agent of such Zemindar or other person aforesaid on the one part, and a Ryot or other actual Cultivator on the other, for the land tilled by him. Sa. Rs. As.

Note. All Leases, Pottahs, Cuboolyuts, or other similar instruments of contract between Zemindars, Talookdars, or other holders or Proprietors of Land, whether subject to the payment of Revenue to Government or otherwise, Farmers, Kutkenadars, Ijaradars, or other tenants, and any other Talookdar, Kutkenadar, Ijaradar or other lease holder, intermediate between the Ryots or actual Cultivators, and the Sudder Malgoozar or Lakherajdar, shall be written on Stampt Paper of the value above prescribed.

LETTERS or Powers of Attorney or Commission or Factory in the nature thereof.

Powers to perform any one special, that is to say, particular act, or the acts connected with one particular suit, case or transaction, or sundry acts to be done, after a manner specified in the instrument, ... 2 0

General, ... 4 0

EXEMPTIONS.

Wukalutnamahs executed to regular pleaders of the Sudder Dewanny Adawlut, or any of the subordinate Court of Judicature, authorizing them to prosecute or defend suits therein pending, or to present or make any miscellaneous petition, application or motion to the Court, which shall be charged according to Regulation I. 1814.

Mookhtarnamahs, executed by native officers and soldiers, belonging to the regular corps on the Military Establishment of the Presidency of Fort William.

LETTERS OF LICENCE from Creditors to Debtors, ... 8 0

MORTGAGES. Any Deed of Mortgage or Conditional Sale, with or without possession given of any lands, estate, or property real or personal, intended as a Security for money due or to be lent thereupon, also any deed, or contract, accompanied with a deposit of Title Deeds to any property where the same may be made as a Security for payment of money due or lent at the time. } Shall be charged after the same manner and at the same rates as if, in lieu of such Deed of Mortgage or the like, a Bond had been taken for the sum due or lent at the time.

Deeds

	Sa. Rs. As.
Deeds of Mortgage, or the like given as Security for the transfer of Government Securities, or for the payment of an annuity for a fixed period, or for the delivery at a future date of any matter or thing capable of being valued.	Shall be charged at the rate of the total amount assured, or of the bonâ fide value.
Deeds of Mortgage given for the Security of annuities for an indefinite period, such as life annuities and the like.	Shall be charged at the rate of 10 times the annual payment.
Where the total amount secured by such mortgage is unlimited,	150 0
Where it may be stipulated, that the amount secured by such mortgage shall not exceed a certain sum.	At the rate of such limitation.
Note. Where a Bond may have been already taken for the amount secured, or where from any other cause the mortgage shall act merely as Collateral Security to some other transaction, already charged with the advalorem duty thereupon, the same being specified in the body of the deed of mortgage, ... Likewise in case of there being more deeds than one required, to execute the mortgage in the manner desired by the parties, the principal deed only shall be charged with the advalorem duty, and all other deeds connected with the same transaction, ...	8 0

Acknowledgments or Promissory Notes granted to the Treasurer or other Officer of the Bank of Bengal, on account of the Bank, or to any private Banker or Agent for loans or advances made on the deposit of Government Securities, Bullion, Plate, Jewels or other Goods, and payable within three months after date, shall be charged as Promissory Notes. If payable at a date, exceeding three months, shall be charged as deeds of mortgage.

EXEMPTION.

Mortgages, to which Government in its Political or Territorial capacity, or the Officers of Government acting for the Government in matters relating to its Political or Territorial concerns are parties.

PARTITION. Any deed of partition of real or personal property adjusted by mutual agreement amongst Coheirs, Coparceners, or the like.	8 0

And

Sa. Rs. As.

The prinicipal deed stipulating for such payment shall be charged with the advalorem duty prescribed for a conveyance or sale for an equal sum.

And if any sum or sums of money shall be paid or agreed to be paid for equality of partition ... ...

On partition of Estates made by Collectors of Land Revenue, whether on application of the parties, or any of them, or in execution of a Decree of Court, if the value of the portion allotted to each sharer shall exceed 800 Rupees, a Stamp Duty of the above amount shall be charged on each Copy of the paper of partition or other title deed which may be taken out by any of the parties after the partition shall have been approved by the Revenue Board.

Where the portion of each sharer shall not exceed 800 Rupees, the following rate of duty shall be chargeable :

If the value of each portion shall not exceed...					100	Rupees,	—	0	8
More than 100 Rupees, but not exceeding....					200	ditto,	—	1	0
Ditto	200	do.	ditto	—	400	ditto,	—	2	0
Ditto	400	do.	ditto	—	600	ditto,	—	4	0
Ditto	600	do.	ditto	—	800	ditto,	—	6	0

Policy of Assurance or Insurance, or other Instrument by whatever name the same shall be called, whereby an Insurance shall be made upon any life or lives, or upon an event depending upon any life or lives.

Where the sum insured shall not exceed— — — —			Sa. Rs. 5,000	4	0
Exceeding 5,000 Rupees but not exceeding— — — — —			10,000	8	0
Ditto	10,000	ditto, — —	20,000	12	0
Ditto	20,000	ditto, — — —	50,000	16	0
Above	50,000	— — —		20	0

Policy of Insurance of any Ship, Vessel, Sloop, Lighter, Boat or the like, any goods or property on board, or upon the freight of any Ship, Vessel, Sloop, Lighter, Boat or the like, or upon any other interest, relating thereto, or upon any voyage where the premium shall not exceed 2 per Cent. on the sum insured, if the whole sum insured shall not exceed 1,000 Rupees, — 0 8

If the sum insured exceed 1,000 Rupees, then for every 1,000 Rupees and also for any fractional part of 1,000 Rupees whereof the same shall consist, — — — — 0 8

Where

	Sa. Rs.	As.
Where the premium shall exceed 2 per Cent. on the sum insured, if the whole sum shall not exceed 1,000 Rupees — —	1	0
If the sum insured exceeds 1,000 Rupees then for every 1,000 Rupees, and also for any fractional part of 1,000 Rupees whereof the same shall consist, — — — —	1	0
PROMISSORY NOTES. Payable to the Bearer on demand at sight, or at any stated period, not exceeding 3 months after date or 90 days after sight, — — — — —	See Bills of Exchange.	
Promissory Notes. Payable at a period exceeding 3 months after date or 90 days after sight, — — — —	See Bonds.	
Promissory Notes. For the payment of any sum by instalments, or for the payment of several sums at different dates, so that the whole of the money to be paid shall be definite and certain,	The same duty as would be chargeable on a bond for the whole amount.	

All Receipts for money deposited in any Bank, or in the hands of any Banker or Agent, if the same shall stipulate for the payment of interest, upon the money so deposited, or in hand, shall be deemed and taken to be Promissory Notes.

RECEIPTS OR DISCHARGES given for, or upon the payment of any sum of money not exceeding thirty-two Rupees,				...	0	1
Exceeding	32 Rupees,	not exceeding	100 Rupees,	...	0	2
Ditto	100 do.	ditto	200 do.	...	0	4
Ditto	200 do.	ditto	500 do.	...	0	8
Ditto	500 do.	ditto	1,000 do.	...	0	12
Ditto	1,000 do.	ditto	2,000 do.	...	1	0
Ditto	2,000 do.	ditto	3,000 do.	...	1	8
Ditto	3,000 do.	ditto	5,000 do.	...	2	0
Ditto	5,000 do.	ditto	8,000 do.	...	2	8
Above	- -	- -	8,000 do.	...	4	0
Also for a receipt in full of all demands,			...	...	4	0

And any instrument, note, memorandum or writing given upon the payment of money, whereby any money, debt or demand, or the part thereof therein specified shall be expressed or acknowledged to have been paid, settled, or otherwise satisfied

shall

shall be deemed to be a receipt for the amount so declared to be paid or satisfied.

And if any such instrument or other writing shall contain a general acknowledgment of the settlement of debts, accounts or other demands without specifying the amount thereof, such instrument or writing shall be deemed and taken to be a receipt in full of all demands and charged accordingly.

And if payment be made by delivery of a Bill or Bills of Exchange, Draft or Drafts, Promissory Notes, or the like Securities of money, the receipt or acknowledgment given thereupon shall be deemed to be a receipt within the meaning of this Schedule.

EXEMPTIONS.

Receipts for money paid or received by any Officer of Government on account of Government.

Receipts or discharges for the rent of land granted by any Zemindar, Talookdar, Farmer or other Malgoozar, or by any holder or proprietor of land held exempt from the payment of Revenue, or by any Mofussil Talookdar, Ijaradar, Kutkenadar, or other lease holder, or by the Gomasta, Factor, or other Agent of such Zemindar, or other person aforesaid, to a Ryot or other actual Cultivator for the rent of land tilled by him.

Note. Receipts or discharges granted by any Zemindar, Talookdar, or other holder or proprietor of land, or by any Farmer, Kutkenadar, Ijaradar or other tenant to any other Talookdar, Kutkenadar, Ijaradar, or other lease holder intermediate between the Ryots or actual Cultivators, and the sudder Malgoozar or Lakherajdar, shall be written on stampt paper of the value above prescribed.

Receipts or discharges given for the purchase money of any Government Securities or shares of the Bank of Bengal.

Receipts and discharges given for money deposited in any Bank, or with any Agent to be accounted for on demand, provided no interest be stipulated as payable thereon.

If

If interest be stipulated such receipt shall be chargeable as a Promissory Note.

Receipts or discharges written upon Promissory Notes, Bills of Exchange, Drafts or Orders for the payment of money duly stamped.

Letters by the Post acknowledging the arrival of any Promissory Notes, Bills of Exchange, or other Securities for money.

Receipts or discharges written upon or contained in any Bond, Mortgage, or other Security, or any conveyance, deed, or other instrument duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest or annuity thereby secured.

SETTLEMENTS. Any deed or instrument whereby any sum or sums of money or any Government Securities, or other property, real or personal, shall be settled or agreed to be settled upon, or for the benefit of any person or persons in any manner whatsoever,

Shall be charged with the advalorem duty chargeable for a bond for the amount or value settled, or agreed to be settled: or in cases in which the value shall be indeterminate at the rate of 100 Rupees.

Deeds of Gift and Dower whether to take effect on the instant or at a future period, determinate or indeterminate, shall be charged as Deed of Settlement.

EXEMPTIONS.

Wills, Testaments and the like, together with deeds merely declaratory of trust pursuant to any previous settlements, deed, or will.

GENERAL EXEMPTIONS.

Deeds, instruments, and writings of any kind, in which Government or any Board, Commission, Court, or public Officer, may in a public capacity be a party, save and except deeds, instruments and writings relating to matters of or belonging to the Commercial Department, shall not be chargeable with any Stamp Duty.

No. 2.

FORM *of* LICENSE *to be Granted.*

Whereas A. B. has duly executed the engagement required by Clause
Section Regulation 1820, to be executed by persons authorized to sell Stamps as hereunto annexed, and has given sufficient Security for the performance of the same, I, C. D. Collector of do hereby authorize the said A. B. to be a Stamp Vender, and to open an Office for the Sale of Stamps at in Pergunnah in the District under my charge. Let him carefully and faithfully execute the several stipulations into which he has entered.

" Given under my Hand and Seal, this · day of

(Signed) C. D.
Collector.

Copy of Engagement entered into by A. B., and referred to in the above License.

(Here enter Engagement)

(A true Copy,)

(Signed) C. D.
Collector.

No. 3.

FORM *of* ENGAGEMENT *to be executed by Persons appointed to the Office of Stamp Vender.*

I, A. B. appointed to vend Stamps at C—, in the Pergunnah of D—, in the district of E—, do hereby engage faithfully to observe the following Conditions :

1st. That I will carefully examine every Stampt Paper which may be entrusted or delivered to me for sale, and certify in my Receipts for the same, that such paper bears the Stamp of

of Government, and the signature of the Superintendent or his Assistant, in all cases in which such signature is required.

2d. That I will not charge more for any Stamp or Stamps entrusted or delivered to me for sale, than the established price for such Stamp or Stamps.

3d. That I will not in any case sell or deliver any Stamp or Stamps, without having previously received the full established price of the same.

4th. That I will monthly prepare and deliver to the Stamp Darogah, or such persons as may be authorized to receive the same, a faithful account of all the Stampt Paper which may be sold by me, and will likewise specify the balance which may remain in store under my charge.

5th. That I will faithfully and regularly pay into the Public Treasury the amount received by me on the sale of Stamps delivered to me, to be disposed of on account of Government at such periods as may be directed, and will carefully preserve all papers so entrusted to me whilst they remain in my custody, being at all times ready to deliver up to the Collector all that I may not sell.

6th. That I will monthly prepare a faithful account of all the Stampt Paper which may be delivered to me, specifying the quantity and value of the paper sold in each month, and the balance which may remain in store at the expiration of it, in such manner as may be directed. The said account I will monthly deliver to the Stamp Darogah, or such person as may be authorized to receive it, at such period as may be fixed for that purpose.

I will moreover, at all times obey any orders which may be issued from the Huzoor for the delivery or exhibition of my accounts, and the balance of any Stampt Paper or cash belonging to Government, together with all Sunnuds, Perwannahs, or other Documents which may be in my possession.

Whenever

Whenever I may sell or deliver Stampt Paper to any one I will carefully and truly certify the sale or delivery, and the date thereof on the back of each sheet of paper sold or delivered, with any further particulars that may be specially directed, and I will attest the endorsement with my signature.

I will at all times have my License, with the Table of Stamp Duties, which I have received from the Huzoor, stuck up in a conspicuous place in the Cutcherry-room, or other place in which I may sell Stamps, and carefully obey any further directions I may receive from the Huzoor in respect to the public notification of the trust now vested in me.

I will at all times furnish persons applying for Stampt Paper with the paper required by them, without any unnecessary delay. If any one shall apply to me for paper of a description not in my possession, I shall without loss of time represent the circumstance to the Huzoor. I will use all my endeavours to promote the sale of Stampt Paper, and to explain to my neighbours the orders of Government on the subject.

Judge & Magistrates &c.
Recd. February 23rd 1826.
A. Ber Dick
Of M

TITLES

OF THE

REGULATIONS,

PASSED IN THE YEAR

1825.

REGULATION I.

A REGULATION *for declaring the Judicial Officers competent to Superintend the execution of their own process in certain cases; and for extending to Officers intrusted with the Execution of a Magistrate's Warrant, or other criminal process, the powers vested in Police Officers, by certain Provisions in Regulation XX.* 1817,—*Passed by the Governor General in Council on the* 13*th January*, 1825.

REGULATION II.

REGULATION II.

A REGULATION *for amending the Rules in force, relative to applications for a review of Judgment in regular original suits and appeals; and for restricting the admission of Special or Second appeals by the Provincial Courts, and Court of Sudder Dewanny Adawlut,—Passed by the Governor General in Council on the 24th March,* 1825.

REGULATION III.

A REGULATION *for empowering the Courts of Circuit to pass Sentence in certain cases of Robbery, without reference to the Court of Nizamut Adawlut,—Passed by the Governor General in Council on the 24th March,* 1825.

REGULATION IV.

A REGULATION *for declaring the Magistrates and Criminal Courts empowered to require Recognizances, and Security for keeping the Peace, in certain cases; and for explaining some of the provisions contained in Regulation VIII.* 1818, *relative to Security for good behaviour,—Passed by the Governor General in Council on the 24th March,* 1825.

REGULATION V.

A REGULATION *for removing certain doubts as to the legality of an union of the powers of Judge and Collector in the same individual,—Passed by the Governor General in Council on the 4th April,* 1825.

REGULATION VI.

REGULATION VI.

A REGULATION *for rendering more effectual the Rules in force, relative to supplies and preparations for Troops, proceeding through the British Territories,—Passed by the Governor General in Council on the 4th April,* 1825.

REGULATION VII.

REGULATION *to explain and amend the Rules in force for the execution of Decrees, or other Judicial Process, by the sale of landed property, or otherwise,—Passed by the Governor General in Council on the 14th April,* 1825.

REGULATION VIII.

A REGULATION *to make further provision for the Employment of Native Officers in the Judicial Department; and to provide for the punishment of false and malicious Charges against the European Officers of Government, —Passed by the Governor General in Council on the 5th May,* 1825.

REGULATION IX.

A REGULATION *for extending the operation of Regulation VII.* 1822, *for authorizing the Revenue Authorities to let in farm Estates under temporary leases, on the default of the Malgoozars, or to hold the same Khâs for a term of years, for modifying and adding to the Rules contained in Regulation II.* 1819, *and for making certain other amendments in the existing Regulations,—Passed by the Governor General in Council on the 5th May,* 1825.

REGULATION X.

REGULATION X.

A REGULATION *more distinctly to define the meaning and intent of the provisions contained in Regulations XXXI. of* 1793, *and XXXVII. of* 1803, *which prescribe Rules for the conduct of Commercial Residents carrying on Trade for themselves,—Passed by the Governor General in Council on the* 19*th May*, 1825.

REGULATION XI.

A REGULATION *for declaring the Rules to be observed in determining claims to Lands gained by alluvion, or by dereliction of a River, or the Sea,—Passed by the Governor General in Council on the* 26*th May*, 1825.

REGULATION XII.

A REGULATION *for defining the powers of the Courts of Circuit, and of the Nizamut Adawlut, in certain cases; for the uniform punishment of contempts of Court in any of the Courts of Judicature, Civil or Criminal; for exempting Females from corporal punishment by stripes, and for discontinuing the Corah as an instrument of punishment in all cases,—Passed by the Governor General in Council on the* 26*th May*, 1825.

REGULATION XIII.

A REGULATION *to maintain the settlement made for certain Lands held exempt from the payment of Revenue by Canoongoes, in the Province of Behar; and to provide for the future settlement of such Lands, as well as of the Lands composing other resumed Lakheraj tenures, with the present occupants, when so directed by Government,*

Government.—Passed by the Governor General in Council on the 7th July, 1825.

REGULATION XIV.

A REGULATION *to declare the extent of the authority possessed by the Revenue Authorities, subordinate to the Governor General in Council, in the conformation of Lakheraj Tenures; to define the principles to be followed in determining on the force and validity of grants made by Persons exercising authority in different quarters previously to the acquisition of the Country by the British Government; and to provide for the due application of the general Laws and Regulations respecting Lands held free of Assessment, to the Territory ceded by Govind Rao to the British Government; and annexed to the Zillah of Bundlecund, under the Provisions of Regulation II.* 1818.—*Passed by the Governor General in Council on the* 14*th July*, 1825.

REGULATION XV.

A REGULATION *to make certain alterations in the Rates of Duty charged, and Drawbacks allowed on goods imported or exported by Sea at the Port of Calcutta, or any other Place within the Territories immediately subordinate to the Presidency of Fort William, and to amend and consolidate the Rules in force relative to such Duties and Drawbacks.—Passed by the Governor General in Council on the* 14*th July*, 1825.

REGULATION XVI.

A REGULATION *to make further provision for empowering the Courts of Circuit to pass sentence in certain cases of Robbery without reference to the Court of Nizamut Adawlut.—Passed by the Governor General in Council on the* 21*st July*, 1825.

REGULATION XVII.

A REGULATION *for transferring the Zillah of Goruckpore from the Jurisdiction of the Provincial Court of Appeal and Circuit of Benares and annexing it to that of the Court of Appeal and Circuit of Patna; for changing the order of holding the half-yearly Jail Deliveries at the Stations comprized within the several Circuits, for providing that the Sessions shall be held in future at the Stations of certain Joint Magistrates; for authorizing special arrangements with respect to others, and for altering the periods fixed for the commencement of the* 1*st and* 2*d Circuits of the Calcutta Division.—Passed by the Governor General in Council on the* 4*th August*, 1825.

REGULATION XVIII.

A REGULATION *for annexing the Settlement of Chinsurah, and other Territories, Ceded to the British Government by the Government of the Netherlands, to the Zillah and City Jurisdictions, most contiguous thereto; and to provide for the future administration of the said Territories.—Passed by the Governor General in Council on the* 25*th August* 1825.

REGULATION XIX.

REGULATION XIX.

A REGULATION *to prescribe the manner in which His Highness the Nazim of Bengal shall Sue, or be Sued in the Courts of Civil Judicature.—Passed by the Governor General in Council on the 29th September*, 1825.

REGULATION XX.

A REGULATION *for declaring the Jurisdiction of the Military Courts Martial and Courts of Requests, constituted by a recent Act of Parliament, and for modifying some parts of the existing Regulations in conformity thereto.—Passed by the Governor General in Council on the 3rd November* 1825.

REGULATION XXI.

A REGULATION *for annexing to the Jurisdiction of the Commissioner of Kumaoon the tract of Country called the Deyra Doon, and also the Pergunnah of Chandnee, heretofore forming part of the Districts of Seharunpore and Moradabad.—Passed by the Governor General in Council on the 8th December*, 1825.

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OF THE

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REGULATIONS

OF

1825.

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ALTERATIONS,

ALTERATIONS, MODIFICATIONS, RESCISSIONS, EXTENSIONS, &c. &c.

Regulations Altered.					*By what Regulation.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	IX.	LIX.	—	Rescinded by - -	XII.	V.	*First.*
—	XXXI.	—	—	Explained by - -	X.	—	—
—	XXXVII.	—	—	Modified by - - -	XIII.	V.	—
—	XLV.	—	—	Modified by - - -	VII.	II.	*First, Second, Third.*
1795	XX.	—	—	Modified by - - -	VII.	II.	*First, Second, Third.*
—	XLII.	—	—	Modified by - - -	XIII.	V.	—
1796	II.	XIX.	—	Modified by - - -	XX.	II.	*First.*
1798	III.	VI.	—	Partly Rescinded by -	XVII.	III.	—
1803	VI.	—	—	Modified by - - -	XX.	II.	*First.*
—	VII.	XXVIII.	—	Rescinded by - -	XII.	V.	*First.*
—	XXVI.	—	—	Modified by - -	VII.	II.	*First, Second, Third.*
—	XXXVI	—	—	Modified by - -	XIII.	V.	—
—	XXXVII.	—	—	Explained by - -	X.	—	—
1804	II.	VII.	—	Partly Rescinded by - -	XVII.	III.	—
—	VIII.	—	—	Ditto Ditto, - - -	XVII.	II.	—
1806	XV.	—	—	Modified by - -	XX.	II.	*First.*
1810	IX.	XXXIX.	—	Explained by - -	IX.	VII.	—
—	—	—	—	Partly Rescinded by- -	XV.	II.	*First.*
—	XX.	—	—	Explained by - -	XX.	IV.	*First and Fourth.*
1811	III.	—	—	Partly Rescinded by - -	XV.	II.	*First.*
1813	XII.	—	—	Ditto Ditto, - - -	—	—	—
1814	XXVI.	IV.	*Second.*	Partly Applied by - -	II.	II.	*First.*
—	—	XV.	*Eighth.*	Explained by - -	VII.	VII.	—
—	XXVIII	—	—	Extended by - -	II.	V.	—
—	—	—	—	Applied by - - -	II.	II.	*First.*
1815	IV.	—	—	Partly Rescinded by - -	XV.	II.	*First.*
1816	X.	—	—	Rescinded by - - -	—	—	*Second.*
1817	IV.	II.	—	Rescinded by - - -	XXI.	II.	—
—	X.	—	—	Applied by - - -	—	IV.	—
—	XV. XVI. XXI.	—	—	Partly Rescinded by - -	XV.	II.	*First.*
	XXI.	V.	—	Applied by - - -	—	III.	*First.*
	XVII.	VIII.	—	Modified by - -	XVI.	II.	—
—	—	VIII.	—	Modified in part by - -	III.	II.	—
—	XX.	XXV.	*Seventh.*	Applied by - - -	I.	III.	*Second.*
1818	VIII.	V. VI. and VII.	—	Applied by - - -	IV.	III.	—
—	—	—	—	Explained by - - -	IV.	V.	—
1819	II.	XXVI.	—	Modified by - - -	XIV.	VI.	—
—	—	V. VI. VIII. X. XI. XIII. XV. XXII. XXX.	—	Ditto Ditto by - - -	IX.	V.	—

Regulations Altered, &c.					By What Regulations.		
Year.	Regulation.	Section.	Clause.		Regulation.	Section.	Clause.
1819	IX.	II.	II.	Rescinded by - - -	II.	IV.	*First.*
1820	II.	———	———	Partly Rescinded by -	XVIII.	X.	———
———	V.	———	———	———	XV.	II.	*First.*
1822	VII.	II. to XXXV. inclusive,	———	Extended by - - -	IX.	II.	*First.*
———	———	XXIII. XXV. XXVIII.	———	Applied by - - -	———	V.	*Ninth.*
1823	II.	———	———	Partly Rescinded by -	XII.	II.	———
———	V.	———	———	Ditto Ditto	XV.	II.	*First.*
1825	III.	———	———	Rescinded by - - -	XVI.	II.	———

ALLUVION AND DERELICTION.

	Regulation.	Section.	Clause.
Claims and disputes relative to alluvial lands to be decided by immemorial and definite usage when such shall be clearly recognized and established,	XI.	II.	
Where no such local usage may be established the claims to be decided by the rules declared in the following Sections, ...		III.	
Lands gained by gradual accession from the recess of a river or the sea, to be considered as an increment to the tenure of the person to whose estate it may be annexed. Proviso, ...		IV.	*First.*
When a river by a sudden change of its course may break through and intersect an estate, the lands so separated, being clearly recognized, shall remain the property of the original owner, ...			*Second.*
Churs or Islands thrown up in a large and navigable river, the channel between the island and the shore not being fordable, to be at the disposal of Government. But if fordable, to whom they shall belong, ...			*Third.*
Claims to Churs, &c. &c. thrown up in small and shallow rivers, how to be determined, ...			*Fourth.*
Disputes relative to lands gained by alluvion or dereliction of a river or the sea, not provided for by the provisions of the present Regulation, how to be adjusted, ...			*Fifth.*
Encroachments on beds of navigable river and other obstructions to their free navigation, prohibited, ...		V.	

CANOONGOES.

	Regulation.	Section.	Clause.
CANOONGOES.			
Under certain circumstances Minhyedars and their heirs may be continued by Government in possession of resumed lands heretofore held as Lakhiraj tenures by Canoongoes. Subject to assessment. Restriction on parties claiming Zemeendarry interest or other proprietary right, who are prohibited from disturbing the possession of Minhyedars whose possession has been sanctioned by Government. Proviso, ...	XIII.	II.	
The tenures of Minhyedars so situated, declared to be hereditary and transferrible, but should they escheat to Government, the parties possessing Zemeendaree interest, will be admitted to engage for the revenue, subject to a fresh assessment, ...		III.	
The principles of the above Sections to be applicable to all cases of Lakhiraj resumptions coming within certain rules, ...		IV.	
Modifications of former Regulations relative to the settlement of resumed Jageer, Altumgha, Mududmash, Ayma, or other Badshahee grants, and to the resumption of the Lakhiraj tenures, ...		V.	
COMMERCIAL RESIDENTS.			
Commercial Residents and their assistants prohibited from engaging in any commercial transactions in partnership with others, and partnership concerns now existing to be dissolved, on or before the 31st December, 1826, ...	X.	II.	
But are not forbidden from becoming Members of Insurance Companies, or Contributors to a Tontine, or parties in any general association, ...		III.	
COMMISSIONER OF KUMAON.			
Part of Regulation IV. 1817, rescinded, and the Deyra Doon to be in future annexed to the jurisdiction of the Commissioner of Kumaon, ...	XXI.	II.	
Pergunnah Chandnee to be in future subject to the authority of the Commissioner of Kumaon, ...		III.	
The provisions of Regulation X. 1817, declared applicable to the Deyra Doon and to Pergunnah Chandnee, and all other Regulations to cease to have effect in those tracts of country, ...		IV.	

COURTS

COURTS OF CIRCUIT.	Regulation.	Section.	Clause.
Part of Section VIII. Regulation XVII. 1817, modified, ...	III.	II.	
Courts of Circuit empowered to pass final sentence in certain cases of Robbery, without a reference to the Court of Nizamut Adawlut, ...		III.	
Rescinding the rules which authorize Courts of Circuit to adjudge corporal punishment by stripes in cases of affray, ...	XII.	II.	
No female to be hereafter sentenced to Corporal Punishment by stripes by any of the Courts of Criminal Justice, ...		III.	
The use of the Corah, as an instrument of punishment, prohibited in all cases, and the ratan to be used in its stead. The term Corah in the Regulations to be changed to ratan, ...		IV.	
Corporal Punishment by ratan, for contempt of Court in the Courts of Circuit, prohibited, ...		V.	*First.*
Persons guilty of contempt of Court, in any of the Criminal Courts to be liable to a fine, commutable, if not paid, to imprisonment in the Civil Jail,			*Second.*
Rule to be observed on the occurrence of wilful contempts in the Courts of the Sudder Ameens and Native Law Officers, ...			*Third.*
The foregoing rule of commutation of fine to imprisonment, to be also applicable to all the Civil Courts, ...		VI.	*First.*
Extended to the Civil Courts of the Sudder Ameens and Moonsiffs, with certain restrictions, ...			*Second.*
The Courts of Circuit declared competent to pass final sentence, and carry the same into execution without a reference to the Nizamut Adawlut, in all cases of culpable homicide not amounting to wilful Murder, and in certain other cases, ...		VII.	*First.*
In what cases a reference may still be made to the Nizamut Adawlut, ...			*Second.*
In trials referred to the Nizamut Adawlut, the final Sentence of Death to be in future passed, by at least two concurrent Judges, instead of a single Judge,		VIII.	
Certain Regulations, relative to the punishment of the crime of robbery, rescinded or modified by the present Regulation, ...	XVI.	II.	
Judges of Circuit empowered to pass sentence upon persons convicted of robbery in certain cases, without reference to the Nizamut Adawlut, ...		III.	*First.*

The

	Regulation.	Section.	Clause.
The Judges of Circuit shall not be competent in certain cases to pass sentence for a less punishment, than 14 years imprisonment in banishment. The Judge of Circuit may refer the trial to the Court of Nizamut Adawlut, for a mitigation of the sentence, ...	XVI.	III.	*Second.*
DUTIES AND DRAWBACKS.			
Rescission of existing provisions, ...	XV.	II.	*First.*
Ditto, ...			*Second.*
Certain provisions to continue rescinded or modified, ...			*Third.*
Imports by sea to be charged with Duties specified in Schedule No. 1, annexed to this Regulation. Proviso, ...		III.	*First.*
Re-exports to be allowed a Drawback, as specified in Schedule No. 2, ...			*Second.*
Duties chargeable and Drawbacks allowed on articles, the produce and manufacture of the country, when exported by sea, to be regulated by Schedule No. 3, ...			*Third.*
EXECUTION OF DECREES.			
Parts of the Regulations in force, relating to sale of Lands in satisfaction of Decrees of Courts, explained and modified, ...	VII.	II.	*First.*
Sales of houses, gardens, orchards, and small portions of Lakhiraj land, in execution of Decrees, to be conducted under the authority of the Judicial Officers, ...			*Second.*
The sale of Landed Property, under a judicial process, to be conducted under the same forms as sales of Personal Property, ...			*Third.*
The same Officers to be employed in the sale of Houses, &c. as in the sale of Landed Property, ...		III.	*First.*
A proclamation to be issued thirty days previously to the sale of such property. How such proclamation is to be made and notified, ...			*Second.*
The usual processes for attachment and sale may be issued simultaneously. No sale to take place without the specified proclamation being made, and any material irregularity will render the sale liable to be declared invalid, if a petition on stampt			

paper

	Regulation.	Section.	Clause.
paper be presented within one month after the sale, ...			*Third.*
In cases where sales are annulled and no collusion appears, the purchaser to have his purchase money returned, with or without interest, as may appear proper, ...			*Fourth.*
Summary decision passed by Judges or Registers, appealable to the Provincial Courts, ...			*Fifth.*
How Judicial Officers are to proceed, in cases where claims are made to the advertised property, or objections made to the sale of it. Provided such claim or objection shall not have been designedly delayed. But should the claim be urged, with a fraudulent design, the sale is to proceed, and the claimant left to prosecute in the Civil Court, ...			*Sixth.*
In all cases of the sale of property, the bidders shall be apprized that nothing is guaranteed to them beyond the rights and interests of the individuals answerable for the amount of the decree, ...			*Seventh*
The provision contained in the foregoing Clause, declared applicable to all public sales of land made by Collectors or other Revenue Officers, in execution of decrees of the Courts of Judicature or other Judicial process, ...		IV.	*First.*
The Courts how to proceed, when a sale of landed property cannot be effected without a reference to the Revenue authorities, ...			*Second.*
The Board of Revenue to instruct the Collector of the district in which the lands may be situated, to select for sale any part of them, which may appear most convenient, ...			*Third.*
In the event of any claim or objection against the sale, the Collector shall communicate the same to the Court, and shall be guided by the instructions he may receive, ...			*Fourth.*
In cases where objections are communicated by Collectors, or claims preferred to lands ordered for sale, the Judge, &c., to institute a summary enquiry, and if requisite, to instruct the Collector to postpone the sale. Such postponement to be held unnecessary, if the claim has not been preferred within a reasonable period, ...			*Fifth.*
All Judicial authorities, who may have ordered sales of lands by Revenue Officers, empowered to declare such sales null and void, and to order a			

re-sale,

	Regulation.	Section.	Clause.
re-sale, if, on summary enquiry, any material irregularity be satisfactorily established.—Proviso, In certain cases, the purchase money to be returned, with or without interest, ...		V.	*First.*
Summary decisions passed under this Section, appealable to the Provincial Courts, ...			*Second.*
The Civil Courts may require the aid of the Collectors in the enforcement of decrees, relating to Malgoozaree land, whenever it may appear conducive to their complete and speedy execution, ...		VI.	
Clause Eighth, Section XV. Regulation XXVI. 1814, explained, and the several Courts empowered to require security for making good decrees, or in failure thereof, to cause an attachment of property, ...		VII.	
JUDGES AND COLLECTORS.			
The official acts of all Public Officers, who, under competent authority, have heretofore exercised the united powers of Judge and Collector, or Register and Collector, declared to be legal and valid,	V.	II.	
Power reserved to the Governor General in Council to vest the whole or any portion of the jurisdiction of a Judge, or a Collector of Revenue in the hands of the same Officer, ...		III.	*First.*
Proviso, precluding a Judge, in such cases, from trying claims preferred by individuals, for acts done by him in his capacity of Collector. Such claims to be cognizable by the Provincial Court of the division, under the Rules in force, ...			*Second.*
JUDICIAL OFFICERS.			
Judicial European Officers empowered to Superintend, in person, the execution of their own process, and to adopt such legal measures, on the occasion, as may appear necessary, ...	I.	II.	
The powers vested by the existing Regulation in Police Officers, for the service of process, under the Seal and Signature of Police Darogahs, declared applicable to all Officers intrusted with the execution of process in Criminal cases, under the Seal and Signature of Judicial European Officers, ...		III.	*First.*
The punishment prescribed by Clause VII. Section XXV. Regulation XX. 1817, in cases of abuse of official duty, declared applicable to all			

Police

	Regulation.	Section.	Clause.
Police Officers and others employed to execute a Warrant, or other Process, ...			*Second.*
LAKHIRAJ TENURES.			
Lakhiraj Tenures declared not to be valid, except when granted, or confirmed under the sanction of Government, or confirmed by a competent Court of Judicature, in a suit regularly tried and decided, or by a Revenue Board, acting under Special Rules, in a Judicial capacity, ...			
Right of Government to Assess Lakhiraj lands, not barred by resolutions or orders of certain Officers and authorities, except as above excepted, ...	XIV.	II.	
Rules for trying the validity of grants, made by persons previously to the acquisition of the country, by the British Government, ...		III.	*First.*
Lakhiraj Tenures of which uninterrupted possession shall have been held, exempt from Assessment at and after certain dates, to be held valid. And in certain cases continued to Heirs. Proviso, in case of a Derivative Tenure from a Jageerdar, or other person, who held rent-free lands, under a temporary, or conditional Tenure. In such cases, parcels of land so held, to follow the condition of the principal Tenure, ...		III.	*Second.*
The Proof of the Title to rest with the persons claiming to hold or recover the Lakhiraj Tenure,			*Third.*
One or more successions to any Tenure, previous to the periods above specified, not to establish a title of inheritance, unless it be of a hereditary nature, ...			*Fourth.*
The Courts of Judicature and Revenue Authorities, shall not recognize any Potentate or Authorities, save the persons described in this Clause, to have been vested with Supreme power.			*Fifth.*
Conditions requisite to establish the validity of grants, made by the Kings of Delhi, or other of the Authorities, above specified, ...			*Sixth.*
Specification of the periods, at which the several provinces subordinate to the Presidency of Fort William, were acquired by the British Government, ...			*Seventh*
Conditions necessary to the Validity of Grants, not made or confirmed by the Supreme Power, ...			*Eighth.*

Certain

	Regulation.	Section.	Clause.
Certain questions regarding Lakhiraj Tenures, resumed previously to the acquisition of the Country by the British Government, to be decided by the Governor General in Council. Further questions to be referred to the Governor General in Council, ...	XIV.	III.	*Ninth.*
The present Regulation not to be applicable to lands, not exceeding ten beegahs, the produce of which is appropriated to religious or charitable purposes, ...		IV.	
Decisions passed before the promulgation of the present Regulations, in opposition to the principles declared, shall be open to revision in the Court wherein the case was decided, and to appeal. Proviso, ...		V.	
Modification of Section XXVI. Regulation II. 1819,		VI.	
MILITARY COURTS MARTIAL.			
European British subjects, being persons attached to the army, serving within certain limits, when apprehended by Magistrates, on charges of a Criminal nature, to be delivered over to the Commanding Officer, of the corps to which they may belong, ...	XX.	II.	*First.*
Magistrates, on application made to them by a Commanding Officer, to assist in the apprehension of all persons amenable to trial by Court Martial, when accused of Criminal offences, ...			*Second.*
Magistrates required to enforce processes for attendance of witnesses, &c. before Courts Martial, on application made to them, ...			*Third.*
Magistrates prohibited from enquiring into charges of a Criminal nature, preferred against British subjects, when attached to the army, within certain limits, and who may have already been tried by a Court Martial for the same. Proviso, for cases in which the Magistrate shall have duly ascertained, that the accused neither has been, nor will be tried by a Court Martial, ...			*Fourth.*
Magistrates will proceed, as heretofore, against British subjects, accused of Criminal Offences, when such persons are not attached to the army, or amenable to trial by Court Martial, ...			*Fifth.*
These Provisions not to apply to Troops in Fort William, or stationed at any other place, which is			

not

	Regulation.	Section.	Clause.
not situated above one hundred and twenty miles from the Presidency, ...			*Sixth.*
Provisions of Regulation XX. 1810, or other Regulations in force, declared not applicable to debts due from British subjects, attached to the army. Such debts and actions, provided for by Section LVII. of Stat. IV. Geo. IV. Cap. LXXXI.		III.	*First.*
Certain powers heretofore vested in the Magistrates, in the Cognizance of debts due by British subjects, declared no longer in force, ...			*Second.*
British subjects attached to the Army, still amenable to Local Courts, for debts exceeding four hundred rupees, ...			*Third.*
To what extent the Provisions of Regulation XX. 1810, Section XXII, will still remain in force, ...			*Fourth.*
Course to be followed in case of a witness refusing to be sworn before a Military Court. Enquiries to be made by the Magistrates and Joint Magistrates,		IV.	
NAZIM OF BENGAL.			
The Agent to the Governor General at Moorshedabad, may institute Suits in the Civil Courts on the part of the Nazim of Bengal, ...	XIX.	II.	
When Suits may be instituted against the Nazim, the notice is to be served on the Agent, who will defend them, ...		III.	
The Nazim and the Agent to the Government exempted from furnishing security and from process of attachment. Order and decrees of the Civil Courts, in such Suits, how to be executed, ...		IV.	
NATIVE OFFICERS.			
All Officers in the Judicial Department prohibited, under pain of dismissal from office, from employing their private servants in the execution of any public duty, ...	VIII.	II.	*First.*
And from employing any Public Officers on their establishment, not being Peons or other inferior servants, in the execution of any part of their private business or private trust, relating to their personal concerns, ...			*Second.*
Any Native Officers in the Judicial Department, who may be disqualified from public employment, under the prohibitions referred to in the			

preceding

	Regulation.	Section.	Clause.
preceding Section, to be immediately removed from office. Any neglect of the above requisition will subject the party to the same penalty as that specified in the preceding Section, ...		III.	
In all future nomination of Native Officers, the Judges and Magistrates are to state to the Provincial Courts, that the person so nominated, is not disqualified under the Provisions of the present Regulation. Duty of the Provincial Courts to enforce the due observance of the above Rules, and to report to the Courts of Sudder Dewanny and Nizamut Adawlut, any wilful infringement of them, ... , ...		IV.	
The Court of Sudder Dewanny Adawlut and Boards, or other authority declared competent to punish, after due investigation, persons preferring unfounded and malicious charges against European public officers, ...		V.	*First.*
The Court of Sudder Dewanny Adawlut to issue the necessary instructions to the proper officer for the execution of orders passed under the above Clause. Similar orders of the Board of Revenue and Board of Trade, or other authority, how to be executed, ...			*Second.*
In what manner persons preferring on oath, false and malicious charges against European Public Officers, may be proceeded against, ...		VI.	
ORIGINAL SUITS AND APPEALS.			
Such part of the Second Clause of Section IV. Regulation XXVI 1814, as directs, that Petitions for review of Judgment shall be written on stampt paper of a prescribed value, declared applicable only to petitions presented within a certain period. After which period they are to be written on the stampt paper prescribed by Section XIII. Regulation I. 1814; but in case the petitioner be a Pauper, the Provisions of Regulation XXVIII. 1814, are declared applicable, ...	II.	II.	*First.*
Petitioners, whose petitions may be rejected, not entitled to receive back the amount of the prescribed stamp paper duty; but the Courts empowered, in special cases, to order a refund of any portion not exceeding three-fourths of it, ...			*Second.*

Courts

	Regulation.	Section.	Clause.
Courts empowered to impose a proportionate fine, in cases where petitions are found to be groundless or litigious, ...			*Third.*
Courts, after reviewing the case of a Petitioner, to pass such orders relative to the Stamp Duty paid by him, as may appear just and equitable, ...			*Fourth.*
Additional rules relative to the consideration of Petitions for review of Judgment, in regular original suits and appeals. Such Petitions, in all practicable cases, to be received and disposed of by the Judge who passed the decision, subject to the regular course of appeal. Whose restriction, however, declared applicable to cases, where the Judge, in passing a decision, may have exceeded the powers vested in him. Rule of proceeding to be observed by the Judges, in correcting such irregularities, ...		III.	
Clause Second, Section II. Regulation IX. 1819, rescinded, ...		IV.	*First.*
By what Rules the Sudder Dewanny Adawlut and Provincial Courts are hereafter to be guided in admitting Second or Special appeals, ...			*Second.*
The Provisions of Regulation XXVIII. 1814, extended to the admission of such Second or Special Appeals in formâ pauperis, as may be hereafter deemed admissible under the rules in force,		V.	
RECOGNIZANCES.			
Criminal Courts may, if they think proper, take Mochulkas, or Penal Recognizances, from persons convicted before them, to keep the peace during a certain period, ...	IV.	II.	*First.*
Security to be taken in addition to the Mochulkas, to keep the peace in cases of an aggravated nature. Nature of the Security Bond, ...			*Second.*
The Provisions of Sections V. VI. and VII. of Regulation VIII. 1818, to be applicable to all prisoners confined, on requisition of security, for keeping the peace under this Regulation, and to the sureties for such persons, ...		III.	
Magistrates and Joint Magistrates, not precluded by any Regulations from taking Mochulkas, or Penal Recognizances for the maintenance of the peace, although the parties may not have been			

convicted

	Regulation.	Section.	Clause.
convicted of any special offence. Proviso, that the amount of the Recognizance shall be proportionate to the condition in life of the person required to execute the same. Proviso. The proceedings in all such cases to be open to the revision of the Courts of Circuit, at the next ensuing Sessions, on presentation of any petition of complaint, ...	IV.	IV.	
Explanation of some of the Provisions of Regulation VIII. 1818, ...		V.	
REVENUE AUTHORITIES.			
The Provisions contained in Clause Sixth Section II. and thirty-three following Sections of Regulation VII. 1822, extended to all lands, not included within the limits of Estates, for which a permanent settlement has been concluded, ...	IX.	II.	*First.*
Such Provisions to be in force in all Estates, held under Khas management, ...			*Second.*
And to be held applicable to the Sunderbuns, the Hill lands of Bhaugulpore, and generally to all forests and wastes not specified in the settlement accounts, ...			*Third.*
The Governor General in Council may vest any Collector, &c. with the several powers specified in Section XX. Regulation VII. 1822, within such limits as may be considered advisable. In such cases, the several Provisions contained in Section XXI., to be considered applicable, ...		III.	
Rule of proceeding, when an arrear of Revenue on account of Mehals, not permanently assessed, may not be paid within one month, after it becomes due, and objections appear to a public sale. Existing engagements may be annulled, and the Mehal let in farm. If a higher Jumma be obtained, the excess to be appropriated to the liquidation of the arrear, and to the payment of Malikhana to the Malgoozar, ...		IV.	
Rules in modification of certain Sections of Regulation II. 1819, ...		V.	*First.*

Collectors,

	Regulation.	Section.	Clause.
Collectors, &c. empowered in making a settlement of lands to issue a notification, and to require the appearance before him of all persons holding Lands free of Assessment. Who are to continue their attendance from day to day, and to produce all Sunnuds, or other writings, under which they claim to hold the lands rent-free, or at a fixed Jumma, ...			*Second.*
Collectors, &c. engaged in the settlement of Mehals, empowered to have such lands measured without awaiting a previous reference to the Board of Revenue, ...			*Third.*
Collectors, upon commencing the settlement of Mehals, to give public notice by Ishtahar, one day previous to that on which it is intended to hold proceedings in any of the cases proposed to be investigated, ...			*Fourth.*
Collectors empowered to proceed exparte in investigations, should persons fail to attend after due notice given them. And with the sanction of the Board of Revenue, to resume such lands, if they appear to be held on an invalid title. Defaulters neglecting to appear, or to furnish the information required from them, not entitled to stay the resumption and assessment of their lands—Proviso, ...			*Fifth.*
Collectors, &c. engaged in making settlements, may either complete the investigation of claims, under the rules in force, or limit their proceedings to certain points. When investigations are postponed, Collectors to give the party due notice, previous to resuming the enquiry. And if the party should fail to attend, the case may be tried exparte, and the Collector may, with the sanction of the Board of Revenue, resume and assess the lands, ...			*Sixth.*
Collectors, &c. in investigating claims to Lakhiraj Lands, to be guided by the provisions of Section XV. &c. Regulation II. 1819, ...			*Seventh*
Collectors, &c. prohibited from resuming lands, even though the parties acknowledge such lands to be liable to assessment, without the sanction of the Board of Revenue. The Board in such			

cases

	Regulation.	Section.	Clause.
cases to direct the assessment of the lands, unless they are held by servants, in lieu of wages, which are not resumable without the sanction of Government, ...	IX.	V.	*Eighth.*
Specific provisions of Regulations, which the Collectors are to consider applicable to cases investigated by them, ...			*Ninth.*
Stampt paper for proceedings in cases originating with a Collector, declared to be unnecessary. Witnesses to be awarded all reasonable charges, which, as well as costs, are to be levied by the process in force, for the recovery of arrears of Revenue, ...			*Tenth.*
Specification of documents and particulars to be submitted to the Collector by persons claiming to hold lands free of assessment. Collector, in case the claim should involve only the interest of Government, to proceed in the investigation of it, giving eight days previous notice to the party. But if the claim be against an individual, singly or jointly with Government, the Collector is to serve the party with a notice containing a statement of the demand, and requiring his attendance with the necessary documents and evidence. Defendant's answer to be given within seven days. In such cases no further pleadings to be required, but Collectors may receive and record such subsidiary proceedings, as are calculated to elucidate the claims. After the receipt of the Defendant's answer, eight days notice to be given of the day on which it is proposed to bring it to a hearing. Proviso, in case an immediate decision shall be petitioned for, ...			*Eleventh.*
Collectors, &c. if of opinion that any tract of land belongs to Government, and that no individual has bonâ fide possession thereof, to require, by a notification, the attendance before him of all claimants within a given period. And on the appearance of such claimants, to proceed in the investigation of the claims in the mode prescribed by Regulation II, 1819. Proviso, in case no person has bonâ fide possession of the Land. Further Proviso, ...			*Twelfth.*

Power

	Regulation.	Section.	Clause.
Power reserved to the Governor General in Council to vest any Collector, &c. deputed to hold a local enquiry within the limits of any Mehal, with the same powers and authority in regard to Lands held free of assessment in all villages adjoining such Mehal, ...		VI.	
All Lands held free of assessment within villages and Mehals of which the settlement may be made under Regulation VII. 1822, to be particularized and fully recorded on the proceedings of the Collector, &c.		VII.	
Nothing contained in Regulation II. 1819, to be construed to affect specific enactments applicable to Benares and the Conquered Provinces, relative to illegal grants of land, made subsequent to the dates specified in the rules respectively. Lands now held free of assesment, that were formerly subject to the payment of Revenue, and have not since become exempted by competent authority, may be resumed and assessed by the Revenue authorities. Exception in cases where the Revenue may belong to a Zemeendar, &c. with whom a permanent settlement has been concluded, ...		VIII.	
The Rules relative to the abolition of the Sayer duties, and the provisions contained in Section XXXIX. Regulation IX. 1810, declared inapplicable to any item of Sewaee Collections or Cess levied by Malgoozars, &c. After the settlement of any Mehal shall have been made, the rules adverted to shall be applicable to all cesses not sanctioned in the mode specified in Section IX, Regulation VII. 1822, ...		IX.	
SETTLEMENT OF CHINSURAH.			
Settlement of Chinsurah, annexed to Zillah Hooghly,	XVIII.	II.	*First.*
The Dutch factories at Calcapore and at other places, annexed to the City and Zillah Jurisdictions, within which they are situated, ...			*Second.*
The administration of Civil and Criminal Justice, and the Collection of Revenue in the above settlement and territories, to be conducted under the Regulations in force, ...		III.	

Appeals

	Regulation.	Section.	Clause.
Appeals from decisions already passed at Chinsurah, and which have been referred to the Court at Batavia, but not decided there, how to be tried, ...	XVIII.	IV.	*First.*
Appeals to be received in certain other cases by the Court of. Sudder Dewanny Adawlut, from decisions passed before the Cession, ...			*Second.*
The decisions of the Court in such cases, to be regulated by the laws and usages which governed the decisions of the European Court of Justice at Chinsurah, ...			*Third.*
Appeals referrible by the Court of Sudder Dewanny Adawlut, to the Provincial Court of Calcutta, for decision, ...			*Fourth.*
Rules for preferring Appeals in Civil Suits, determined after the promulgation of the present Regulation, ...			*Fifth.*
The Civil Courts prohibited from entertaining any claims or suits, which may have been formerly decided by competent authority, ...		V.	
Deeds regularly executed, to be received in evidence by the Civil Courts, ...		VI.	
The decision of Civil Suits regarding succession, inheritance, marriage, and special contract, to be governed by the laws and usages of the parties, ...		VII.	
Offences committed before the promulgation of the present Regulation, how to be punished, ...		VIII.	
Appointment of a Dutch Law Officer or Fiscal, and his duties, ...		IX.	*First.*
The Fiscal to furnish Translations of all Dutch papers, ...			*Second.*
Written opinion of the Fiscal, to be put on record,			*Third.*
The Fiscal to be also a Sudder Aumeen, with Civil and Criminal powers, ...			*Fourth.*
Parts of Regulation II. 1820, relative to Chinsurah, rescinded, ...		X.	
SUPPLIES FOR TROOPS.			
Zumeendars having been warned by the Collectors to provide supplies for Troops, or to provide boats, &c. for crossing Nullahs, shall, on proof of neglect or disobedience, be punishable by a fine, not exceeding 1,000 Sicca Rupees, ...	VI.	II.	
The Collector to make a summary enquiry in			

presence

	Regulation.	Section.	Clause.
presence of the party charged with neglect or disobedience, or his representative. The Collector may hold *exparte* proceedings on failure of either of them to attend, ...		III.	
The amount of fine how to be levied. Appeal, to what authority preferrible, ...		IV.	
Petition of Appeal to be written on Stampt Paper, Limitation of appeal, ...		V.	
ZILLAH GORUCKPORE.			
The Zillah of Goruckpore, transferred from the jurisdiction of the Provincial Court of Appeal and Circuit for the division of Benares, and annexed to that of Patna, ...	XVII.	II.	
Modification of the existing order of succession for holding the Jail delivery at the stations of the several Magistrates and Joint Magistrates, ...		III.	
Rules to be observed for holding the Sessions at certain stations, viz.		IV.	
" Barasut, ...			*First.*
" Balasore and Khoorda, ...			*Second.*
" Malda, ...			*Third.*
" Monghyr, ...			*Fourth.*
" Shahjehanpore, ...			*Fifth.*
Rule for the commencement of the Circuits for the division of Calcutta, ...		V.	
The order for holding the Jail Deliveries, at the station of a Magistrate or Joint Magistrate, may be altered in future without the enactment of a Regulation, ...		VI.	

A. D. 1825. REGULATION I.

A REGULATION *for declaring the Judicial Officers, competent to superintend the execution of their own process in certain cases; and for extending to Officers intrusted with the execution of a Magistrate's Warrant, or other criminal process, the powers vested in Police Officers, by certain Provisions in Regulation XX.* 1817.—*Passed by the Governor General in Council on the* 13*th January* 1825, *corresponding with the* 2*d Maug* 1231, *Bengal Era; the* 9*th Maug* 1232, *Fussily; the* 3*d Maug* 1232, *Willaity; the* 9*th Maug* 1881, *Sumbut, and the* 22*d Jummadi ulawal* 1240, *Higeree.*

WHEREAS doubts have been entertained whether a Judge, Magistrate, or other European Public Officer, authorized to issue process of arrest, or other judicial process, is

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is, under any circumstances, competent to attend in person, the execution of such process; as well as whether the Officers charged with the execution of a Warrant, bearing the Seal and Signature of a Magistrate, in criminal cases, are competent to exercise the powers vested in Officers of the Police, charged with the execution of a Warrant of arrest, issued by a Police Darogah, or other Police Officer, under the Provisions of Section XXV. Regulation XX. 1817; and it is desirable that all ground of doubt, as to the legal powers of the Public Officers, in such cases, should be removed by an express enactment, on the points referred to; the Governor General in Council has passed the following Rules to be in force, as soon as promulgated, throughout the Provinces, immediately subject to the Presidency of Fort William.

Judicial European Officers empowered to Superintend in person the execution of their own process, and to adopt such legal measures on the occasion as may appear necessary.

II. Whenever the Judge or Register of a Civil Court, or a Magistrate or Joint Magistrate, or any other European Public Officer, authorized by the Regulations in force to issue process of arrest, or other Judicial process, civil or criminal, upon the person or property of Individuals, amenable to their respective jurisdictions, may, for any special reason, deem it necessary to be personally present at the execution of such process; and to see that the same be duly executed, in the manner prescribed by the Regulations; it shall be competent to the Public Officer, who may have issued the process, to attend personally for the purpose above mentioned; and to adopt or direct any legal measures that may be necessary for the due execution thereof.

The powers vested by the existing Regulations in Police Officers for the service of process under

III. *First.* The powers vested in Officers of Police, by the Fifth and Sixth Clauses of Section XXV. Regulation XX. 1817, or by any other Regulation in force, for the service

and

and execution of Warrants, or other process of arrest, in serious criminal cases, under the Seal and Signature of a Police Darogah, or other Officer of the Police, shall be held equally applicable to all Officers intrusted with the execution of a Warrant, or other process of arrest, in criminal cases, bearing the Seal and Signature of a Magistrate, Joint Magistrate, or any Public Officer empowered to act as Magistrate, whether the person to whom the Warrant is addressed be an Officer of the Police, or otherwise.

the Seal and Signature of Police Darogahs declared applicable to all Officers intrusted with the execution of process in Criminal Cases, under the Seal and Signature of Judicial European Officers.

Second. The Seventh Clause of the Section above mentioned, whereby it is declared that any wilful abuse, and perversion of the powers vested, by the preceding Clauses, in the Police Officers, for ends of Public Justice, will subject them, on conviction before the Magistrate, or Court of Circuit, to exemplary punishment, according to the circumstances of the case, besides immediate dismission from Office, is also hereby made applicable to all persons, whether Police Officers or others, who may be employed to execute a Warrant or other process of arrest, issued by a Magistrate, Joint Magistrate, or other Public Officer empowered to act as Magistrate; and may be guilty of any wilful abuse and perversion of the powers vested in them by the present Regulation.

The punishment prescribed by Clause VII. Section XXV. Regulation XX. 1817, in cases of abuse of official duty declared applicable to all Police Officers, and others employed to execute a Warrant or other process.

A. D. 1825. REGULATION II.

A REGULATION *for amending the Rules in force, relative to applications for a review of Judgment in regular original suits and appeals; and for restricting the admission of special or second appeals, by the Provincial Courts, and Court of Sudder Dewanny Adawlut:*—PASSED *by the Governor General in Council on the 24th March* 1825, *corresponding with the 12th Chyte* 1231 *Bengal Era; the 20th Chyte* 1232 *Fussily; the 13th Chyte* 1232 *Willaiaty; the 5th Chyte* 1882 *Sumbut; and the 3d Shaban* 1240 *Higeree.*

WHEREAS the small expense attending petitions for a review of Judgment, in regular original suits and appeals, decided by the Zillah, City, and Provincial Courts, or by the Court

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Court of Sudder Dewanny Adawlut, under the Rules prescribed for such applications in Section IV. Regulation XXVI. 1814, has been found to encourage numerous petitions of this description, without sufficient grounds for preferring the same, to the serious hindrance of other business depending before the Civil Courts above mentioned; and whereas the extension given by the second Clause of Section II. Regulation IX. 1819, to the admission of special or second appeals, by the Provincial Courts and Court of Sudder Dewanny Adawlut, has been productive of a large increase of such appeals; the numerous petitions for which, whether ultimately rejected or admitted, occupy more time than can be applied to them, without impeding the trial and decision of other more important causes; whilst at the same time, such applications, upon insufficient grounds, are encouraged by the indefinite terms of the Clause adverted to; which authorize the admission of a second appeal "whenever there may "appear strong probable ground, from whatever cause, to "presume a failure of justice;" with a view therefore to provide against the continuance of these impediments to the general administration of Civil Justice, in the Superior Courts, as well as to relieve Individuals from the expense of fruitless applications in Cases wherein there may be no certain and sufficient grounds for a further appeal in decided Causes; the Governor General in Council has passed the following amended Rules, to be in force from the date of their promulgation throughout the Provinces immediately subject to this presidency.

Such part of the Second Clause, of Section IV. Regulation XXVI. 1814, as directs that Petitions for a review of judgment

II. *First.* Such part of the second Clause of Section IV. Regulation XXVI. 1814, as provides that the petition for a review

review of Judgment, in the Cases therein mentioned, shall be written on Stampt paper of the value prescribed in Section XVIII. Regulation I. 1814, shall after the promulgation of the present Regulation be considered applicable only to petitions for a review of Judgment, which may be presented, as required by the Clause above noticed, within the period of three Calender Months from the delivery or tender of the Decree. Whenever the petition for a review of Judgment may be presented after that period, it shall be written upon the Stampt paper prescribed in Section XIII. Regulation I. 1814, with reference to the amount or value, of the property adjudged against the party desiring the revision; in like manner as if a regular appeal were preferred from such judgment; unless the party desiring the review be a Pauper, in which case the provisions relative to Pauper appellants, contained in Regulation XXVIII. 1814, shall be held applicable.

ment shall be written on Stampt paper of a prescribed value declared applicable only to Petitions presented within a specified period.

After which period they are to be written on the Stampt paper, prescribed by Section XIII. Regulation I. 1814, but in case the petitioner be a Pauper, the provisions of Regulation XXVIII. 1814, are declared applicable.

Second. If the petition for a review of judgment, presented after the promulgation of this Regulation, shall be rejected by the Court receiving the same, as not containing sufficient grounds for the review desired, the petitioner shall not be entitled to receive back the amount of the Stamp duty, paid for the paper on which the petition may have been written; but in the event of its having been written on the Stampt paper prescribed in Section XIII. Regulation I. 1814, the Court, rejecting the petition, is vested with a discretionary authority (as in the case of special appeals, under the fifth clause of Section II. Regulation XXVI. 1814,) in any particular instance, wherein the forfeiture of the entire Stamp duty may appear excessive on due consideration of the circumstances of the case, to order the refund of any portion

Petitioners whose Petitions may be rejected not entitled to receive back the amount of the prescribed Stampt paper duty, but the Courts empowered in special cases to order a refund of any portion not exceeding three-fourths of it.

portion thereof, not exceeding three-fourths of the total amount, from the public Treasury.

Courts empowered to impose a proportionate fine in cases where Petitions are found to be groundless or litigious.

Third. When the rejected petition may have been written on the Stampt paper prescribed in Section XVIII. Regulation I. 1814, and shall be found by the Court rejecting it, groundless and litigious; so as to merit a fine, in addition to the small Stamp duty paid in conformity with that Section, the Court is authorized and required (as in the Case of litigious Summary appeals, by the tenth Clause of Section III. Regulation XXVI. 1814,) to impose such fine as may be proportionate to the circumstances of the Case, and the condition of the party, not exceeding the amount of the Stamp duty which would have been payable if the petition had been written on the Stampt paper prescribed in Section XIII. Regulation I. 1814.

Courts after reviewing the Case of a Petitioner to pass such Orders relative to the Stamp duty paid by him as may appear just and equitable.

Fourth. When the petition for a review of judgment may be admitted, the Court reviewing the case, will, on deciding it, pass such order relative to the Stamp duty paid by the petitioner, as may appear just and proper; whether for his reimbursement by the opposite party as part of the Costs of Suit; or for the refund of any portion of it, not exceeding three-fourths, by Government.

Additional Rules relative to the consideration of petitions from review of Judgment in regular original suits and appeals.

III. In addition to the Rules contained in Section IV. of Regulation XXVI. 1814, relative to petitions for a review of judgment in regular original suits and appeals, decided by the Zillah, City, and Provincial Courts, or by the Court of Sudder Dewanny Adawlut, it is hereby provided that whenever the Judge or Judges, who may have passed the Decree

or

or if the Decree have been passed by two or more Judges, when any of such Judges shall continue attached to the Court, at the time when the petition for a review is received, and shall not be precluded, by absence or other cause, for a period of Six Months after the receipt of the petition from considering and recording his order or opinion upon the same, it shall not be competent to any other Judge or Judges of the same Court, to enter upon a consideration of the merits of the petition, and record an order or opinion thereupon, it being the obvious intention of the Rules referred to, that application for a review of judgment made in pursuance thereof, should, as far as practicable, be received and disposed of by the Judge or Judges who may have passed the decision; subject to the regular course of appeal, if the case be appealable to a superior Court. Provided however, that this restriction shall not be considered applicable to cases not open to a further appeal, in which a Single Judge, whether of a Provincial Court or of the Court of Sudder Dewanny Adawlut, may appear, on the face of the Decree, to have exceeded the powers vested in him by the Regulations. In such cases the decree being imperfect, and irregular, it shall be competent to a majority of the Judges of the Provincial Court, or of the Court of Sudder Dewanny Adawlut, concurring in opinion as to such irregularity, to proceed upon the petition for a review, in the manner prescribed by Section IV. Regulation XXVI. 1814, and by the present Regulation.

Such petitions in all practicable Cases to be received and disposed of by the Judge who passed the decision, subject to the regular course of appeal.

Whose restriction however declared inapplicable to Cases where the Judge in passing a decision may have exceeded the powers vested in him.

Rule of proceeding to be observed by the Judges in correcting such irregularities.

IV. *First.* The Second Clause of Section II. Regulation IX. 1819, whereby the Rules before in force for the admission of special or second appeals by the Provincial Courts and Court

Clause Second, Section II. Regulation IX. 1819, rescinded.

Court of Sudder Dewanny Adawlut, were extended, is hereby rescinded.

By what Rules the Sudder Dewanny Adawlut and Provincial Courts are hereafter to be guided in admitting second or special appeals.

Second. After the promulgation of this Regulation the Provincial Courts, and Court of Sudder Dewanny Adawlut, shall be guided, in their admission of special or second appeals by the Rules contained in Section II. Regulation XXVI. 1814; Section VII. Regulation XIX. 1817; and Sections III. IV. and V. of Regulation IX. 1819.

The provisions of Regulation XXVIII. 1814, extended to the admission of such second or special appeals in formâ pauperis as may be hereafter deemed admissible under the Rules in force.

V. Regulation XXVIII. 1814, relative to Paupers, not containing any specific provision respecting Pauper Appellants or Respondents in second or special appeals, it is hereby declared that the Provisions in that Regulation respecting appeals *in formâ Pauperis* from decisions passed in original suits, shall, after the promulgation of the present Regulation, be considered applicable to any second or special appeals which may be preferred *in formâ Pauperis;* and which may be hereafter deemed admissible under the Rules specified in the preceding Section.

A. D. 1825. REGULATION III.

A REGULATION *for empowering the Courts of Circuit to pass Sentence in certain cases of Robbery, without reference to the Court of Nizamut Adawlut :*—PASSED *by the Governor General in Council on the* 24*th March* 1825, *corresponding with the* 12*th Chyte* 1231 *Bengal era ; the* 20*th Chyte* 1232 *Fusly ; the* 13*th Chyte* 1232 *Willaity ; the* 5*th Chyte* 1882 *Sumbut, and the* 3*d Shaban* 1240 *Higeree.*

WHEREAS under the Regulations in force the trials of all persons convicted before the Courts of Circuit of the crime of robbery by open violence, as defined in Section III. Regulation LIII. 1803, are referrible to the Court of Nizamut Adawlut, and whereas it will tend to relieve that Court from a part of the numerous Trials now referred to it, and

Preamble.

and at the same time expedite the administration of Criminal Justice in such cases, if the Courts of Circuit are empowered to pass sentence, when the robbery may not have been committed by a Gang of Armed persons, or may not have been attended with Murder or other aggravating act of criminality, such as to require a sentence of punishment exceeding that which the Courts of Circuit are competent to adjudge in other cases viz. thirty-nine stripes with a Corah, and imprisonment with hard labour, in banishment for fourteen years; the Governor General in Council has enacted the following Rules to be in force as soon as promulgated throughout the Provinces under this Presidency.

Part of Section VIII Regulation XVII. 1817, modified.

II. So much of Section VIII. Regulation XVII. 1817, and of the preceding Regulations therein referred to, or of any other Regulation in force as requires that the Courts of Circuit shall in all cases of conviction of the crime of Robbery by open violence, as defined in the first clause of Section III. Regulation LIII. 1803, refer the trial of the Prisoner or Prisoners so convicted for the final sentence of the Court of Nizamut Adawlut, is hereby modified as stated in the following Section.

Courts of Circuit empowered to pass final Sentence in certain cases of robbery, without a reference to the Court of Nizamut Adawlut.

III. In cases of conviction before a Court of Circuit of the crime of Robbery by open violence, as defined in Section III. Regulation LIII. 1803, or of an attempt to commit the same; if the Robbery shall not have been committed, or attempted by a gang of two or more Armed persons; and shall not have been accompanied with Murder or with an attempt to commit murder, whether by wounding, burning, strangling, poisoning, drowning, throwing into a well or by

any

any other means; nor have been accompanied with wounding, burning, or other corporal injury to any person or persons, in such a degree as to endanger life, nor have been attended with any other aggravating act of criminality such as may appear to the Judge of Circuit, before whom the trial is held, to merit, and call for a more severe punishment than thirty-nine stripes with a Corah, and imprisonment with hard labour for fourteen years, in banishment from the District where the Prisoner may have resided, the Judge of Circuit, concurring with his Law Officer in the conviction of the Prisoner or Prisoners is authorized, without reference to the Nizamut Adawlut as required by the Sixth Clause of Section VIII. Regulation XVII. 1817, to pass such Sentence as he may deem adequate to the offence, on due consideration of all the circumstances of the case; not exceeding the number of stripes and term of imprisonment with hard labour in banishment, above specified.

A. D. 1825. REGULATION IV.

A REGULATION *for declaring the Magistrates and Criminal Courts empowered to require Recognizances, and Security for keeping the Peace, in certain cases; and for explaining some of the provisions contained in Regulation VIII.* 1818, *relative to Security for good behaviour.*—PASSED *by the Governor General in Council on the 24th March* 1825, *corresponding with the 12th Chyte* 1231 *Bengal era; the 20th Chyte* 1232 *Fusly; the 13th Chyte* 1232 *Willaity; the 5th Chyte* 1882 *Sumbut, and the 3d Shaban* 1240 *Higerec.*

WHEREAS the existing Regulations contain no express provision for empowering the Zillah and City Magistrates, and Joint Magistrates, to take Mochulkas, or penal recognizances for the maintenance of the peace in their respective Preamble.

respective jurisdictions, although it has been the established usage to require such in many instances; nor do the Regulations in force expressly sanction the requisition of security to keep the peace, except from persons charged with criminal offences, whilst the charge is under examination; and whereas the rules contained in Regulation VIII. 1818, respecting security for good behaviour, have been found in some instances to require explanation; with a view to provide for such cases, and to declare the powers of the Magistrates, and Criminal Courts in those before referred to, the Governor General in Council has enacted the following Rules, to be in force, from the time of their promulgation, throughout all the Provinces immediately subject to the Presidency of Fort William.

Criminal Courts may if they think proper take Mochulkas or penal recognizance from Persons convicted before them, to keep the peace during a certain period.

II. *First.* Whenever a person, charged with a serious affray, assault, or other violent breach of the peace, or with causing, aiding, or abetting the same, or with assembling armed men, or taking other unlawful measures, with the evident intention of committing the same, shall be convicted of such charge, before any Criminal Court by which the offence may be cognizable; and the Court by which a final sentence or order in the case may be passed, shall be of opinion that it is just and necessary to require a Mochulka, or penal recognizance, for keeping the peace, with or without, security for the same purpose, from the person so convicted, it shall be competent to the Court, passing the final sentence, or order, in such cases, to direct that the person so convicted be required to execute a Mochulka, or formal engagement, in a sum proportionate to the party's condition in life, and the circumstances of the case, for keeping the peace, during such

such period as it may appear proper to fix in each instance; not exceeding one year, from the time of the prisoner's discharge if the sentence or order be passed by a Magistrate, Joint Magistrate, or other Officer exercising the functions of a Magistrate; or three years if the sentence or final order, be passed by a Court of Circuit, or the Court of Nizamut Adawlut.

Second. In cases of an aggravated nature, wherein it may appear necessary to require Security for keeping the peace in addition to the Mochulka of the party, it shall also be competent to the Court passing the final sentence, or order, to direct the same; and to fix the amount of the Security Bond (which should never be excessive, and should in all cases be such as it would be proper to enforce, in the event of a breach of the engagement,) to be executed by the Surety or Sureties; with a provision, that if the same be not given, the party required to find the Security shall be kept in custody for any time not exceeding the period specified in the preceding clause, according as the order may be passed by a Magistrate, or Court of Circuit; or by the Court of Nizamut Adawlut.

Security to be taken in addition to the Mochulkas to keep the peace in cases of aggravated nature.

Nature of the Security Bond.

III. The Provisions contained in Sections V. VI. and VII. of Regulation VIII. 1818, shall be considered applicable to all prisoners confined on requisition of Security for keeping the peace, under the present Regulation; and to the Sureties for such persons.

The provisions of Sections V. VI. and VII. of Regulation VIII. 1818, to be applicable to all prisoners confined on requisition of Security for keeping the peace under this Regulation and to the Sureties for such persons.

IV. Nothing in Regulation VIII. 1818, or in any other Regulation in force shall be construed to preclude the Zillah and

Magistrates and Joint Magistrates not precluded by any Regulations from taking Mochulkas or penal

penal recognizances for the maintenance of the peace, although the parties may not have been convicted of any specific offence.

and City Magistrates, or Joint Magistrates, from taking Mochulkas, or penal recognizances, according to established usage, in all cases wherein it may appear just and necessary to require the same, for the maintenance of the peace, in their respective Jurisdictions; although the parties bound in such recognizance, may not have been convicted of any specific offence; provided, that the amount of the recognizance in all such cases, shall be proportionate to the condition in life of the person required to execute the same; and shall, in no instance without conviction of a specific charge, exceed the Sum of two hundred Sicca Rupees. Provided also that the proceedings of the Magistrate, or Joint Magistrate, in all such cases, shall be open to the revision of the Court of Circuit, at the next ensuing session of Jail delivery; in the event of any petition complaining of, or objecting to, the order of the Magistrate, or Joint Magistrate being presented to that Court.

Proviso.—That the amount of the recognizance shall be proportionate to the condition in life of the person required to execute the same.

Proviso.—The Proceedings in all such cases to be open to the revision of the Courts of Circuit at the next ensuing session on presentation of any petition of complaint.

Explanation of some of the provisions of Regulation VIII. 1818.

V. In explanation of the Rule contained in the first Clause of Section VIII. Regulation VIII. 1818, which directs that whenever the Magistrates, under the authority vested in them by the Regulations, may require Security for the good behaviour of a Prisoner, they shall (in all cases in which they may judge it safe so to do) provide in their order, for the release of the prisoner, at the end of a definite period, not exceeding a twelve month; it is hereby further provided, that the period to be fixed for the responsibility of the Sureties, in such cases, shall correspond with the term limited by the Magistrate's order, for the prisoner's detention in the event of his not furnishing the required Security.

A. D. 1825. REGULATION V.

A REGULATION *for removing certain doubts as to the legality of an union of the powers of Judge and Collector in the same individual:—* PASSED *by the Governor General in Council on the 4th April* 1825, *corresponding with the* 23*d Cheyte* 1231 *Bengal Era; the* 1*st Bysaak* 1232 *Fussily; the* 24*th Cheyte* 1232 *Willaity; the* 1*st Bysaak* 1882 *Sumbut; and the* 14*th Shabaan* 1240 *Higeree.*

WHEREAS it has occasionally been found necessary to place the charge of Collectorships or of portions of Collectorships in the hands of Zilla and City Judges or of Registers of the Civil Courts, and it may from time to time be hereafter found necessary to depute or employ Officers vested with the united powers of Judge and Collector in the administration of the affairs of particular districts, or in the adjustment of boundaries, or in the settlement of tracts occupied by peculiar tribes or classes of people, or in the execution of other special measures: And whereas doubts Preamble.

have

have arisen as to the legality of such an union of authority, the Governor General in Council, with a view of removing such doubts, has been pleased to declare and to enact as follows:

The Official Acts of all public Officers who under competent authority have heretofore exercised the united powers of Judge and Collector, or Register and Collector, declared to be legal and valid.

II. It is hereby declared that the official acts of all public Officers who may have exercised under the sanction and authority of Government, or under the provisions of Regulation IV. 1821, the united powers of Judge and Collector, or of Register and Collector, shall be deemed and held to be and to have been to all intents and purposes as legal and valid as they would have been, had they been performed by Officers holding respectively the Office of Judge or Register only, or the Office of Collector only.

Power reserved to the Governor General in Council to vest the whole or any portion of the jurisdiction of a Judge or a Collector of Revenue in the hands of the same Officer.

III. *First.* It shall be competent to the Governor General in Council to vest the whole or any portion of the jurisdiction and powers of a Civil Judge and of a Collector of Revenue in the hands of the same officer whenever, and so long as such an arrangement may, for special purposes, appear expedient.

Proviso—precluding a Judge in such cases from trying claims preferred by Individuals for Acts done by him in his capacity of Collector.

Second. Provided that in all such cases, the Judge shall be precluded from trying and determining in his Civil Court, any claims which may be preferred by individuals for acts done by him in his official capacity of Collector, but such claims shall, as already provided for by the Second Clause of Section VI. Regulation IV. 1821, be cognizable in the Provincial Court of the division, and not in the Zillah or City Court.

Such claims to be cognizable by the Provincial Court of the division under the Rules in force.

A. D. 1825. REGULATION VI.

A REGULATION *for rendering more effectual the Rules in force, relative to supplies and preparations for Troops, proceeding through the British Territories:*—PASSED *by the Governor General in Council on the 4th April* 1825, *corresponding with the 23d Cheyte* 1231 *Bengal Era; the 1st Bysaak* 1232 *Fussily; the 24th Cheyte* 1232 *Willaity; the 1st Bysaak* 1882 *Sumbut, and the 14th Shabaan* 1240 *Higeree.*

Preamble.

WHEREAS it is enacted in the First Clause of Section III. Regulation XI. 1806, that on receiving the notification mentioned in the preceding Section, relative to a Body of Troops about to proceed, by land or by water, through any part of the Company's Territories, the Collector of the District shall immediately issue the necessary orders to the Landholders, Farmers, Tehsildars, or other persons in charge of the lands, through which the Troops are to pass, for providing

providing the supplies required; and for making any requisite preparations of boats, or temporary bridges, or otherwise, for enabling the Troops to cross such Rivers, or Nullahs, as may intersect their march, without impediment or delay; it being, at the same time, further directed, in the Second Clause of the Section referred to, that the supplies so furnished, shall be paid for by the persons receiving the same, at the current bazar prices of the place at which they may be provided; and that the expense incurred for crossing the Troops and their baggage, over Rivers or Nullahs, after being duly ascertained, will be paid by Government; and whereas experience has shewn the necessity of enabling the Collectors, or other Public Officers acting in that capacity, to enforce their orders in the cases above mentioned, by imposing a fine upon any Landholder, Tehsildar, or other person in the possession or management of land, who after receiving the requisition issued in pursuance of the Section above cited, may be proved to have wilfully disobeyed or neglected the same; the Governor General in Council has therefore enacted the following Rules, to be in force, as soon as promulgated in all the Provinces immediately subject to the Presidency of Fort William.

Zumeendars having been warned by the Collector to provide supplies for Troops.

II. Any Landholder, Farmer, Tehsildar, or other person in the possession or management of land, who may have been duly required by a Collector of the land revenue (or any Public Officer acting in that capacity) in pursuance of Section III. Regulation XI. 1806, to provide supplies for a body of Troops, about to proceed by land or water, through any part of the British Territories; or to make preparations of boats

Or to provide Boats, &c. for crossing nullahs.

boats, temporary bridges, or otherwise, for enabling the Troops to cross Rivers, or Nullahs, intersecting their march; and after the receipt of such requisition, shall wilfully disobey or neglect the same; or shall, without sufficient cause, fail to exert himself for the due execution of the duty so assigned to him; shall, on proof of such failure, neglect, or disobedience to the satisfaction of the Collector (or other Officer acting in that capacity) by whom the order may have been issued, or of his successor in the same office, be liable to a fine proportionate to the defaulter's condition in life, and the circumstances of the case, in such amount as the Collector, or other Officer, with due regard to these considerations, may judge it proper to impose; so that the fine shall not in any case, exceed the sum of one thousand Sicca Rupees.

Shall on proof of neglect or disobedience be punishable by a fine.

Not exceeding 1,000 Sicca Rupees.

III. The Collector, or other Officer acting in that capacity, who may exercise the powers vested in him by this Regulation, shall previously make a summary inquiry, in the presence of the party charged with disobeying or neglecting the Order issued to him, or of his representative; if, on being duly summoned, he shall attend in person, or by Vakeel, for that purpose: If he shall fail to attend either in person or by Vakeel, the summary inquiry shall be conducted exparte, and the Collector shall record upon his Proceedings the whole of the Evidence obtained in proof of the neglect or disobedience for which a fine may be imposed.

The Collector to make a summary inquiry in presence of the party charged with neglect or disobedience or his representative.

The Collector may hold exparte Proceedings on failure of either to attend.

IV. The Collector, or other Officer, who may adjudge a fine under this Regulation, shall be competent to levy the amount

The amount of fine how to be levied.

amount by the same process as is authorized for the recovery of arrears of the Public Revenue. Provided that if an appeal be preferred from his decision, within six weeks from the date of it, to the Board of Revenue, in whose jurisdiction the District may be situate, and sufficient security be tendered for performing the Judgment of the Board upon the appeal, the Collector shall stay the execution of his Order for levying the fine imposed by him, until he shall receive the final Order of the Board.

Appeal to what authority preferrible.

Petition of appeal to be written on Stampt paper.

V. Appeals from the Orders of Collectors, or other Public Officers, adjudging fines under this Regulation, may be preferred, on the stampt paper prescribed for other appeals to the Revenue Boards, either immediately to the proper Board; or through the Officer by whom the fine may have been adjudged; and on admission of the appeal the whole of the Proceedings in the case shall be transmitted to the Board. But no such appeal shall be receivable, after the expiration of six weeks from the date of the Judgment; without proof of sufficient reason, for the delay, to the satisfaction of the Board, by whom the case may be cognizable.

Limitation of Appeal.

A. D. 1825. REGULATION VII.

A REGULATION *to explain and amend the Rules in force for the execution of Decrees, or other Judicial Process, by the Sale of landed property, or otherwise.*—PASSED *by the Governor General in Council on the* 14*th April* 1825, *corresponding with the* 3*d Bysack* 1232 *Bengal Era; the* 10*th Bysack* 1232 *Fusly; the* 3*d Bysack* 1232 *Willaity; the* 11*th Bysack* 1882 *Sumbut, and the* 23*d Shaban* 1240 *Higeree.*

WHEREAS the Rules contained in Regulation XLV. 1793, re-enacted for Benares by Regulation XX. 1795, and for the Ceded Provinces by Regulation XXVI. 1803, "for disposing of Malgoozary and Lakheraj lands, pursuant "to decrees of the Courts of Justice," have been found to require explanation and amendment, with respect to the sale of houses, gardens, orchards, and small portions of land held exempt from the public assessment; and whereas it appears expedient Preamble.

expedient to establish some additional rules for the sale of such property, when requisite, in satisfaction of decrees, or other judicial process; as well as for the sale of landed property, in execution of such process, when made by the Revenue Officers of Government; at the same time enabling the Judges of the Civil Courts to obtain the aid of the Collectors in the enforcement of all Decrees relative to the proprietary right, or possession of land, when it may appear conducive to their speedy or complete execution, as well as to require security, or direct an attachment of property in certain cases, when the enforcement of a decree may be delayed, under the Eighth Clause of Section XV. Regulation XXVI. 1814; the Governor General in Council has, for these purposes, enacted the following Rules, to be in force, as soon as promulgated, throughout all the Provinces immediately subject to the Presidency of Fort William.

Parts of the Regulations in force relating to sale of lands, in satisfaction of Decrees of Courts, explained and modified.

II. *First.* Such parts of Regulations XLV. 1793, XX. 1795, and XXVI. 1803, or of any other Regulation in force, relative to the sale of lands, in satisfaction of Decrees of the Courts of Civil Judicature, as require that sales of landed property, in execution of such Decrees, shall be made by the Collectors of the public Revenue, or other Officers of Government in the Revenue Department, are hereby explained and modified, as follows:

Sales of Houses, Gardens, Orchards and small portions of Lakheraj land in execution of decrees, to be conducted under the authority of the Judicial Officers.

Second. The Rules contained in the Regulations abovementioned shall not be considered applicable to the sale of houses, gardens, orchards, and small portions of land held exempt from the public assessment; the sale of which, when requisite in execution of any decree, or other judicial process,

process, shall be made, as heretofore, by Order of the Court, or Officer, empowered to enforce the decree, or process, without application to the Board of Revenue, or the Collector of the District, or other Officer in the Revenue Department.

The sale of Landed property under a Judicial process to be conducted under the same forms as sales of personal property.

Third. The Judge, Register, or other Officer, empowered, under the Regulations, to enforce a Decree, or other Judicial process, by a sale of property, is authorized to cause the public sale of any house, garden, orchard, or small portion of Lakheraj land, which may be liable to be sold in execution of the decree, or other process, in like manner, as he is authorized to cause the public sale of any personal property liable to be sold in execution of the same.

The same Officers to be employed in the sale of houses, &c. as in the sale of landed property.

III. *First.* The Judges and Registers of the Zillah and City Courts, who usually employ the Nazirs of those Courts, or the Sudder Ameens at the station of the Judge and Register, and the local Moonsiffs in other parts of their jurisdictions, to conduct the public sale of personal property in execution of Decrees, or other Judicial process, are hereby authorized to employ the same Officers, when it may appear expedient, in the public sale of houses, gardens, orchards, or small portions of Lakheraj land, under the provisions of this Regulation.

A proclamation to be issued thirty days previously to the sale of such property.

Second. In all cases of attachment and intended sale, whether of personal property, or of the landed property above described, in execution of any decree, or other judicial process, a proclamation of the intended sale, with particulars of the time and place of sale, of the property to be sold and of the amount due, for the recovery of which the sale is ordered,

ordered, shall be made, in the current language of the country, for at least thirty days, before the appointed day of sale; exclusive of the day of sale, and the date on which the proclamation may be ordered. Such proclamation shall be made, in the usual mode, by beat of drum, on the spot where the property is attached; and a written notification, to the same effect, shall also be affixed in some conspicuous place, within the village or town, in which the attachment may take place; as well as in the Cucherry of the local Moonsiff; and at the Cucherries of the Collector of the District; and the Zillah Judge, or Register, who may have ordered the sale. When the sale is to be made by a Sudder Ameen, the notification shall also be affixed in the Cucherry of such Sudder Ameen.

How such proclamation is to be made and notified.

Third. The usual processes for attachment and sale, in such cases, may either be issued successively, or simultaneously, as the Judge, Register, or other Judicial Officer, directing the sale, may, in each instance think proper, with reference to the circumstances of the case. But no sale shall, in any instance, take place without a previous proclamation, for the period specified in the preceding Clause; and any material irregularity in the sale, which may be established, on a summary inquiry, to the satisfaction of the Judge, Register, or other Officer, by whom the sale may have been ordered, shall be sufficient to invalidate the sale; provided that a petition, written on the stampt paper required for miscellaneous petitions to the Zillah and City Courts, and stating circumstantially the irregularity which may have taken place, be presented to the Judge, Register, or other Officer, by whom the sale may have been ordered, within one month after the sale.

The usual processes for attachment, and sale may be issued simultaneously.

No sale to take place without the specified proclamation being made; and any material irregularity will render the sale liable to be declared invalid.

If a Petition on stampt paper be presented within one month after the sale.

Fourth.

Fourth. Whenever a public sale may be set aside, as invalid, under the preceding Clause, or on any account whatever, and no collusion, or fraud shall appear on the part of the Purchaser, he shall be entitled to receive back his purchase money, on restoring any property delivered over to him, with or without interest, in such manner, as it may appear proper to direct in each instance.

In cases where sales are annulled and no collusion appears, the Purchaser to have his purchase money returned with or without Interest as may appear proper.

Fifth. The summary decision passed by the Zillah or City Judges, or Registers, under this Section, shall be open to a summary appeal to the Provincial Courts, under the general Rules, for such appeals.

Summary decision passed by Judges or Registers appealable to the Provincial Courts.

Sixth. In the event of any claim being preferred to the property advertised for sale, under the provisions of this Section; or of any objection being offered to the proposed sale, within the period of the proclamation; such claim, or objection, shall be inquired into by the Judge, Register, or other Officer, who may have ordered the sale, or may be referred for inquiry and report to a Sudder Ameen, or local Moonsiff; and if it appear necessary, the time of sale shall be postponed, till such claim or objection have been investigated; provided that the representation of it, (which, in all instances, is required to be preferred to the Judge, Register, or Officer, ordering the sale, as soon as practicable after the publication of the intended sale,) shall not appear to have been designedly and unnecessarily delayed, with a view to obstruct the ends of justice. In such cases, when the fraudulent design may appear evident, the sale shall not be postponed; and the claimant shall be left to prosecute his claim, after the sale, by a Regular Civil Suit.

How Judicial Officers are to proceed in cases where claims are made to advertised property or objections made to the sale of it.

Provided such claim or objection shall not have been designedly delayed.

But should the claim be urged with a fraudulent design the sale is to proceed and the claimant left to prosecute in the Civil Court.

Seventh.

In all cases of sale of property, the Bidders shall be apprised that nothing is guaranteed to them beyond the rights and Interests of the Individuals answerable for the amount of the Decree.

Seventh. In all cases of a public sale of property, under this Regulation, it shall be clearly explained to the bidders at the sale, that nothing is guaranteed to them in the land, or other property sold, beyond the rights and interests therein of the Individuals answerable for the amount of the decree, or other process, in execution of which the sale is made.

The provision contained in the foregoing Clause declared applicable to all public sales of land made by Collectors or other Revenue Officers in execution of Decrees of the Courts of Judicature or of other Judicial process.

IV. *First.* The provision contained in the last Clause of the foregoing Section shall be considered applicable to all public sales of land made by the Collectors, or other Officers of Government, in the Revenue Department, in execution of decrees of the Courts of Judicial process; and the following additional Rules are prescribed respecting such sales, in modification of those now in force.

The Courts how to proceed when a sale of landed property cannot be effected without application to the Revenue authorities.

Second. When it may be necessary to have recourse, to a sale of landed property in execution of a decree, or other Judicial process, and the property pointed out for sale, by the person desiring execution of the decree, or other process, may not be such as the Court empowered to enforce the same, is authorized to bring to sale, without application to the Revenue Officers of Government, the Court whose duty it may be to execute the decree or process, shall transmit a copy and translation of the decree, or other process, to the local Board of Revenue, as directed in Regulation XLV. 1793, XX. 1795, and XXVI. 1803, and shall at the same time transmit a statement of the lands which the person entitled to the benefit of the decree, or other process, may point out as belonging to the person or persons, from whom the amount may be demandable.

Third.

Third. The Board of Revenue on receipt of the documents above noticed, will proceed as directed in the Regulations referred to and shall furnish the Collector of the district in which the lands proposed for sale may be situated, with a copy of the statement so received; instructing him to select for the sale, any part of the lands included in the statement, which it may appear most convenient to sell in execution of the decree, or other process; and the sale of which may appear sufficient for that purpose.

The Board of Revenue to instruct the Collector of the District in which the lands may be situated to select for sale any part of them which may appear most convenient.

Fourth. In the event of any claim being preferred, or objection offered, to the Collector, against the sale of the lands proposed to be sold, as not belonging to the person or persons answerable for the amount of the decree, or other process, to be enforced, and consequently not liable to be sold in execution thereof, the Collector shall communicate such claim, or objection, with any information which his official records may enable him to furnish on the subject, to the Court, which may have applied for the sale; and shall be guided by the instructions which he may receive in answer, whether to proceed with the sale, or otherwise.

In the event of any claim or objection against the sale, the Collector shall communicate the same to the Court and shall be guided by the instructions he may receive.

Fifth. In all cases of a claim, or objection, being communicated by a Collector to the Court, enforcing a decree or other process, under the foregoing Clause, or of a claim to lands proposed for sale in execution of judicial process, being received from the claimant, by the Judge, or other Officer, who may have required the sale, it shall be his duty to enter upon an immediate summary inquiry into the truth and foundation of such claim; and if it appear proper he shall instruct the Collector to postpone the intended sale until such

In cases where objections are communicated by Collectors, or claims preferred to lands ordered for sale, the Judge, &c. to institute a summary inquiry, and if requisite to instruct the Collector to postpone the sale.

Such postponement to be held unnecessary if the claim has not been preferred within a reasonable period.

such inquiry shall have been completed. Provided however, that such postponement shall not be necessary when the claim, or objection, may not have been preferred within a reasonable time, after the Collector's publication of the intended sale, and may appear to have been intentionally delayed, with a view to obstruct the sale. In such cases the Court may order the sale to take place; and refer the claimant to a regular suit, in prosecution of his claim.

All Judicial authorities who may have ordered sales of lands by Revenue Officers empowered to declare such sales null and void, and to order a re-sale, if on summary enquiry, any material irregularity be satisfactorily established.

V. *First.* A doubt having been entertained whether public sales of land, made by the Revenue Officers of Government, in satisfaction of decrees or other process of the Court of Judicature, can be summarily set aside, without a regular Civil suit, or proof of irregularity in publishing and conducting the sale, or otherwise; it is hereby declared that the Zillah or City Court, or other Judicial authority, who may have ordered the sale in such cases, shall be competent to declare the same null and void, and to order a re-sale in the mode prescribed by the Regulations, if, on summary enquiry, any material deviation therefrom, and consequent irregularity in the sale, be satisfactorily established; provided that a petition containing a circumstantial statement of such irregularity, and written on the stampt paper required for miscellaneous petitions in the Zillah and City Courts, be presented to the Court by which the sale may have been ordered, within a month after the sale. In such cases the Court directing the sale to be set aside shall further be competent to direct a return of the purchase money, with or without interest, as provided for in similar cases, by the Fourth Clause, of Section III. of this Regulation.

Proviso.

In certain cases the purchase money to be returned with or without interest.

Second.

Second. The summary decisions passed under this Section shall be open to a summary appeal to the Provincial Courts, under the general Rules for such appeals.

Summary decisions passed under this Section appealable to the Provincial Courts.

VI. By the existing Regulations the Judge of the Zillah and City Courts, are required to transmit to the Collectors of their respective jurisdictions, (as well as to the Board of Revenue) copies of all decrees which may be passed by them, or by their Registers; or which may be sent to them for enforcement by the Superior Courts; affecting the proprietary right to, or possession of, any lands paying revenue to Government, or held exempt from the payment of revenue; for the purpose of enabling them to make the requisite entries and alterations in the periodical Registers of land. The Judges of the several Civil Courts are further hereby authorized to require the aid of the local Collector, in the enforcement of all such decrees, whenever it may appear conducive to their speedy and complete execution; whether by giving possession to the Parties entitled thereto; or by the adjustment of a Waselaut Account, or otherwise.

The Civil Courts may require the aid of the Collectors in the enforcement of decrees relating to Malgoozaree Land, whenever it may appear conducive to their speedy and complete execution.

VII. In explanation of the Eighth Clause of Section XV. Regulation XXVI. 1814, which provides that, in certain cases, "it shall be competent to the Court applied to, for execution of a decree, instead of proceeding to the immediate enforcement of the decree, to issue a notice to the party against whom execution may be sued out, requiring him to shew cause within a limited period to be fixed by the Court, why the decree should not be executed against him," it is hereby declared that the above provision was meant to be imperative in the cases referred to; and not to leave a discretion

Clause Eight Section XV. Regulation XXVI. 1814, explained, and the several Courts empowered to require Security for making good decrees or in failure thereof to cause an attachment of Property.

discretion with the Court, at the same time, with a view to guard against abuses, it is now further provided, that, whenever it may be shewn, by satisfactory evidence, that the party against whom the decree was passed, or in the event of his decease, his legal Representative who may have become answerable for the fulfilment of it, is about to remove, or dispose of, the property from which the judgment should be satisfied, the Court, proceeding, as directed in the Eighth Clause of Section XV. Regulation XXVI. 1814, shall be authorized to require security in such amount as may appear sufficient for making good the decree; and in the event of such security not being given, to cause an attachment of property; as provided for in similar cases, whilst a suit is depending, by Section V. Regulation II. 1806.

A. D. 1825. REGULATION VIII.

A REGULATION *to make further provision for the Employment of Native Officers in the Judicial Department; and to provide for the punishment of false and malicious Charges against the European Officers of Government:*—PASSED *by the Governor General in Council on the* 5*th May* 1825; *corresponding with the* 24*th Bysaack* 1232 *Bengal Era; the* 3*d Jeyte* 1232 *Fusly; the* 25*th Bysaack* 1232 *Willaity; the* 3*d Jeyte* 1882 *Sumbut; and the* 16*th Ramzan* 1240 *Higeree.*

WHEREAS the Rules contained in Regulations II. 1793, V. 1795, and XXV. 1803, whereby the Collectors are prohibited from employing their private Servants, or any persons except public and registered Officers, in the discharge of any part of their public duties, as well as from conferring on their public Officers any private trust relating to their personal concerns, have not been specifically enacted, Preamble.

by

by any Regulation in force for the guidance of the public Officers in the Judicial Department, although the spirit of them is obviously applicable to the Rules enacted in Regulations V. 1804, and VIII. 1809, for the appointment of the Native Officers employed in that Department; and whereas the Rules in force for receiving and proceeding upon charges of a serious nature against the European public Officers, contain no provision similar to the enactment in Section V. Regulation VII. 1811, respecting malicious and unfounded charges preferred in the Zillah or City Courts, when the accusation or information against an European Officer of Government may be found on investigation to be manifestly groundless and malicious; with a view therefore to supply what is wanting in the existing Regulations on the points above noticed, the Governor General in Council has enacted the following Rules to be in force, as soon as promulgated, throughout all the Provinces immediately subject to the Presidency of Fort William.

All Officers in the Judicial Department prohibited under penalty of dismissal from Office, from employing their private servants in the execution of any public duty.

II. *First.* The whole of the Officers of Government, employed in the Judicial Department, Civil or Criminal, are prohibited, under penalty of dismissal from office, from employing directly or indirectly, their private Servants of whatever description, or any other persons, not being public Officers duly appointed or nominated in conformity with the Rules in force relative to such appointments, in the discharge of any part of their public duties, or in the execution of any public duty, in which the person so employed, may not have been duly authorized to act.

And from employing any public Officers on their Establishment, (not being

Second. The whole of the Judicial Officers are in like manner,

manner and under the same penalty prohibited from employing any of the public Officers on their Establishments, not being Peons, or other inferior servants, in personal attendance upon a Judge, Magistrate, or other Officer of Government in the Judicial Department, in the performance of any part of their private business, or in the execution of any private trust relating to their personal concerns.

Peons or other inferior servants) in the execution of any part of their private business, or private trust, relating to their personal concerns.

III. If any of the Native Officers, now on the establishment of any Officer of Government in the Judicial Department, shall be disqualified from continuing to hold the Office now held by him, under the prohibitions contained in the preceding Section, he shall be immediately removed from such office, and a successor appointed to it, according to the Rules prescribed in the existing Regulations. Any neglect of this requisition will subject the party committing it to the same penalty as that provided for in the foregoing Section.

Any Native Officers in the Judicial Department, who may be disqualified from public employment, under the prohibitions, referred to in the preceding Section to be immediately removed from Office.

Any neglect of the above requisition will subject the party to the same penalty as that specified in the preceding Section.

IV. In all future nominations of Native Officers by the Judges and Magistrates or other Judicial Officers, which may be submitted to the Provincial Courts of Appeal and Circuit, under the provisions of Regulation IX. 1809 or of any other Regulation in force, the Judge, Magistrate, or other Officer making such nomination is required to state explicitly, in addition to the information called for by the existing rules, that the person so nominated is not disqualified under the provisions of the present Regulation; and it will, at all times, be the duty of the Provincial Courts to see that these provisions are observed; as well as to report any wilful infringement of them to the Courts of Sudder Dewanny or Nizamut Adawlut for the information and orders of Government.

In all future nomination of Native Officers, the Judge and Magistrates are to state to the Provincial Courts, that the person so nominated is not disqualified under the provisions of the present Regulation.

Duty of the Provincial Courts to enforce the due observance of the above rules, and to report to the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut, any wilful infringement of them.

V.

A. D. 1825. REGULATION IX.

A REGULATION *for extending the operation of Regulation VII.* 1822, *for authorizing the Revenue authorities to let in farm Estates under temporary leases, on the default of the Malgoozars, or to hold the same Khâs for a term of years, for modifying and adding to the Rules contained in Regulation II.* 1819, *and for making certain other amendments in the existing Regulations.*—PASSED *by the Governor General in Council on the 5th May* 1825; *corresponding with the 24th Bysaack* 1232 *Bengal Era; the 3d Jeyte* 1232 *Fussily; the 25th Bysaack* 1232 *Willaity; the 3d Jeyte* 1882 *Sumbut; and the 16th Ramzan* 1240 *Higeree.*

WHEREAS the provisions of Regulation VII. 1822, are in force only within the Ceded and Conquered Provinces, Preamble.

Provinces, in the District of Cuttack, and in the Pergunnah of Puttaspore and its dependencies; and whereas there are within the other Provinces belonging to this Presidency various Mehals and tracts for which a permanent settlement has not yet been concluded, and it appears to be advisable that the Revenue authorities should be vested, in regard to such Mehals and tracts, with the same powers as belong to the like Officers within the Ceded and Conquered Provinces; and whereas the principle of the Rules contained in the said Regulation, relative to Lands held free of assessment or at a Mocurruree Jumma under special grants, is equally applicable to such tenures in all parts of the country: and it appears to be likewise expedient to make provision for the occasional exercise by the Revenue Officers in the Lower Provinces, of the powers specified in the said Regulation, for the summary trial of certain suits between Individuals, subject as therein provided to an appeal to the Adawlut by a regular suit: and whereas a frequent recourse to the sale of Lands, for the recovery of arrears of Revenue in Districts of which the assessment has not been fixed in perpetuity, being inexpedient it appears to be necessar yand proper that the Revenue authorities should be empowered to let in farm for a term of years the Estates of defaulters under temporary leases, or to hold the same Khâs for the purpose of making a Ryotwar settlement, where that measure may be deemed advisable, and whereas it has appeared to be expedient to modify and to add to the provisions contained in Regulation II. 1819, and whereas the Rules prohibiting the collection of Sayer duties, and the provision contained in Section XXXIX. Regulation IX. 1810, having been considered applicable to several items of Sewace

collections

collections or cesses levied by the Malgoozars and others for local purposes, and according to ancient usage, which it would be injurious to abolish, it appears to be expedient to provide for the continuance of such collections when sanctioned by Government, the following rules have been enacted to be in force from the date of their promulgation, within the provinces belonging to the Presidency of Fort William.

II. *First.* The provisions contained in Clause 6th Section II. and in the thirty-three following Sections of Regulation VII. 1822, are hereby extended to all lands (including Jageers, Mocurruries and other tenures held free of assessment or at a quit rent under special grant) not included within the limits of Estates for which a permanent Settlement has been concluded in the manner prescribed by Regulation VIII. 1793, and Regulations II. and XXII. 1795, as far as the same may be applicable.

The provisions contained in clause Sixth Section II. and thirty-three following Sections of Regulation VII. 1822, extended to all lands not included within the limits of Estates for which a permanent settlement has been concluded.

Second. The said provisions shall likewise be in force in all Estates, which may now or hereafter be held Khâs, during the period for which they may be so managed.

Such provisions to be in force in all estates held under Khâs management.

Third. The provisions aforesaid shall also apply to the Sunderbuns, the Hill lands of Bhaugulpore and other extensive forests and wastes, not included within the limits of Pergunnahs, Mouzahs or other Revenue divisions, specified at the time of Settlement as belonging to the Mehals then assessed; as well as to all Estates bordering on such forests or wastes.

And to be held applicable to the Sunderbuns, the Hill-lands of Bhaugulpore, and generally to all forests and wastes not specified in the settlement accounts.

III. It shall be competent to the Governor General in Council

The Governor General in Council may vest any Collector,

&c. with the several powers specified in Section XX. Regulation VII. 1822, within such limits as may be considered advisable.

Council to vest any Collector, or other officer exercising the powers of Collector, within the provinces of Bengal, Behar, Orissa, and Benares, with the several powers specified in Section XX. Regulation VII. 1822, in the manner specified in the second clause of that Section, within such local limits as may from time to time appear to be advisable: and the several provisions contained in Section XXI. and the fourteen following Sections shall apply to the several Pergunnahs or other local divisions so placed under the jurisdiction of the Collector, or other officer aforesaid.

In such cases the several provisions contained in Section XXI. &c. to be considered applicable.

Rule of proceeding when an arrear of Revenue on account of Mehals not permanently assessed may not be paid within one month after it becomes due and objections appear to a public sale.

IV. Whenever an arrear of Revenue shall accrue on account of any Mehal, for which an engagement may have been taken from the proprietors or persons recorded as proprietors, not being an Estate of which the assessment has been fixed in perpetuity, and the Malgoozars shall fail to discharge the same within one month of the date on which it became due, then if there shall appear to be any objection to the sale of the Estate, and the arrears cannot otherwise be recovered (on which points the decision of the Revenue authorities is to be held conclusive) it shall be competent to the Collector or other officer exercising the powers of Collector, with the sanction of the Board, and subject to the orders of Government, to annul the existing engagements with the Malgoozars, and to let the Mehal in farm for such period, not exceeding 15 years, as the Governor General in Council may appoint or to hold the Mehal under Khâs management for a like period. In such cases, if the Mehal shall yield a higher Jumma than that for which the Malgoozars may have engaged, the excess shall in the first place be appropriated to the liquidation of the arrear due on account of it, or such

Existing engagements may be annulled and the Mehal let in farm.

If a higher Jumma be obtained the excess to be appropriated to the liquidation of the arrear and to the payment of Malikana to the Malgoozar.

such portion thereof as the farmer may not have separately agreed to discharge or as may not otherwise have been recovered, and, out of any surplus remaining, the Malgoozars shall receive such Malikana, not being less than 5 per Cent. nor more than 10 per Cent. on the assessment of the last year of their engagement, as the Governor General in Council may direct.

Rules in modification of certain Sections of Regulation II. 1819.

V. *First.* The following rules are enacted in modification of Sections V, VI, VIII, X, XI, XIII, XV, XXII, and XXX. of Regulation II. 1819.

Collectors, &c. employed in making a settlement of lands to issue a notification and to require the appearance before him of all persons holding lands free of assessment.

Second. Whenever a Collector, or other Officer exercising the powers of Collector, shall visit or be about to visit any Mehal for the purpose of making a settlement in the manner prescribed in Regulation VII. 1822, it shall be competent to him by a Notification to be stuck up in some conspicuous place within such Mehal, and each Village thereof, if consisting of several Villages, to require all persons holding lands free of Assessment, or at a fixed Jumma within or adjoining to the Village or Villages in which the lands of such Mehal or any part thereof may be situate, to appear before him either in Person or by Vakeel within a reasonable time, not being less than one month from the date of such Notification, at such place within the Mehal as he may select for holding his office, and to attend him from day to day while he may continue within the Mehal, with all Sunnuds or other writings in virtue of which they may possess the lands or under which the lands may have been or may be claimed to be held free of Assessment or at a fixed Jumma, together with any evidence they may desire to have taken in support of their claims.

Who are to continue their attendance from day to day and to produce all Sunnuds or other writings under which they claim to hold the lands rent free or at a fixed Jumma.

Third.

Collectors, &c. engaged in the settlement of Mehals empowered to have such lands measured without awaiting a previous reference to the Board of Revenue.

Third. It shall likewise be competent to Collectors and other Officers aforesaid, when engaged in the settlement of any Mehal under the rules of the regulation above mentioned, or preparatory thereto, to measure or cause to be measured, without a previous reference to the Board of Revenue, all Lands, whether Malgoozaree or Lakheraj, belonging or adjoining to the Village or Villages in which such Mehal or any part thereof may be situated.

Collectors upon commencing the settlement of Mehals to give public notice by an Ishtahar one day previous to that on which it is intended to hold proceedings in any of the cases proposed to be investigated.

Fourth. When the Collector or other Officer aforesaid shall have commenced the settlement of any Mehal in regard to which he may have issued a Notification as aforesaid, and shall propose to hear the Claims of persons holding lands free of Assessment or at a fixed Jumma and to receive their Sunnuds and other writings as aforesaid or any of them, the period fixed in the Notification for the attendance of such parties being arrived, he shall on the day preceding that on which he may intend to hold proceedings in the said cases or any of them, notify such intention by an Ishtahar stuck up in his office and in some place, open to the public, within the Mehal.

Collectors empowered to proceed exparte in investigations should persons fail to attend after due notice given them.

And with the sanction of the Board of Revenue to resume such lands if they appear to be held on an invalid title.

Fifth. If any person holding land free of Assessment or at a fixed Jumma as aforesaid shall fail to attend either in Person or by Vakeel after notice being given in the manner above prescribed, the Collector shall be competent to proceed exparte to investigate the title of such party to hold the land in his possession free of Assessment; and with the sanction of the Board of Revenue to resume the said lands if they appear to be held on an invalid title. Nor shall any person, defaulting as above, or neglecting to appear and give answer when

when required to do so in the manner prescribed in Regulation II. 1819, be entitled to stay the resumption and assessment of his lands, under the rule contained in the XXII. Section of that Regulation. Provided further that the rule contained in Clause II. Section XIII. Regulation II. 1819, shall be and be held applicable to such persons, as well as to persons who may appear when summoned under the provisions of that Regulation or in the manner hereinbefore provided.

Defaulters neglecting to appear or to furnish the information required from them not entitled to stay the resumption and assessment of their lands.

Proviso.

Sixth. It shall be competent to Collectors and other Officers making settlements as aforesaid, either to complete the investigation of the Claims of Persons holding land free of Assessment, or at a fixed Jumma, under the Rules of the fifteenth and following Sections of Regulation II. 1819, with the modifications hereinafter provided, during the progress of the Settlement; or to limit their proceedings to the ascertainment of the land actually held under such tenures, and the record of the title deeds produced by the parties; postponing the further investigation of the case to a future period. When any Collector or other Officer may postpone the investigation of any case as aforesaid, he shall at the same time notify to the party the time and place at which the further investigation is to be held; or if circumstances prevent him from doing so, he shall before resuming the enquiry give the party one month's notice to attend: And on the failure of any party to attend when so warned, the Collector, or other Officer aforesaid shall be competent to proceed to try the case exparte, and with the sanction of the Board, to resume and assess the lands.

Collectors, &c. engaged in making settlements may either complete the investigations of claims under the rules in force or limit their proceedings to certain points.

When investigations are postponed Collectors to give the party due notice previous to resuming the enquiry.

And if the party should fail to attend, the case may be tried exparte, and the Collector may with the sanction of the Board of Revenue resume and assess the lands.

Seventh. Collectors or other Officers who may proceed to

Collectors, &c. in investigating claims to

Lakheraj lands to be guided by the provisions of section XV., &c. Regulation II, 1819.

to investigate claims to Lakheraj lands during the progress of a settlement, shall follow the Rules of the fifteenth and following Sections of Regulation II. 1819, in all cases wherein the parties may attend and deny the liability of their lands to Assessment subject to the modifications hereinafter provided.

Collectors, &c. prohibited from resuming lands even though the parties acknowledge such lands to be liable to Assessment, without the sanction of the Board of Revenue.

Eighth. No lands shall be resumed by a Collector, even though the parties may confess that they are liable to Assessment, without the sanction of the Board of Revenue, save and except as hereinafter provided: but on such confession duly attested, which will of course supersede the necessity of any further enquiry, it shall be competent to the Board forthwith to direct the lands to be Assessed, unless the same be held by Village or Zemindaree Servants in lieu of Wages, which shall not be resumed without the sanction of Government. Provided also that in all cases wherein it may appear to the Board that the resumption of Lands held free of Assessment would occasion serious distress to the holders, it shall be their duty to submit a report of the circumstances to the Governor General in Council.

The Board in such cases to direct the assessment of the lands unless they are held by servants in lieu of Wages which are not resumable without the sanction of Government.

Specific provisions of Regulations which the Collectors are to consider applicable to cases investigated by them.

Ninth. The provisions of Clause first, Section XXIII. Section XXV. and Section XXVIII. Regulation VII. 1822, shall be applicable to cases investigated by Collectors, under the rules of Regulation II. 1819, or under the provisions of this Regulation.

Stampt Paper for proceedings in cases originating with a Collector declared to be unnecessary.

Tenth. It shall not be necessary to use Stampt paper, for the proceedings held, or exhibits filed before the Revenue authorities in cases originating with a Collector, or other Officer of Government claiming to Assess land held free of Assessment

Assessment. But the said authorities are authorized in the said cases, as in all other cases wherein they may exercise judicial powers under the provisions of the existing Regulations, to award to witnesses their reasonable charges and to levy the same, as well as all costs adjudged by them, by the process in force for the recovery of arrears of the Government Revenue.

Witnesses to be awarded all reasonable charges which as well as costs are to be levied by the process in force for the recovery of arrears of revenue.

Eleventh. Persons claiming to hold lands exempt from Revenue shall, with their petitions of plaint, deliver to the Collector or other Officer to whom the same may be preferred, all Sunnuds and other writings on which their claim may be founded; and shall insert in the said petition a full specification of the several particulars required to be registered by the rules in force, relative to the registry of rent-free tenures, and of the grounds on which their claim is founded. If the claim shall involve only the interests of Government, the Collector shall proceed without delay to investigate the case, giving, however, eight days previous notice to the party of the day on which he may propose to bring it to a hearing in the mode prescribed for the Civil Courts. If the claim shall be against any individual singly or jointly with Government, the Collector shall serve him with a notice containing a statement of the demand, and requiring his attendance in person or by Vakeel duly authorized, within the period of one month, with any papers or evidence he may desire to produce in denial of the claim: and on the appearance of such defendant the Collector after allowing him to inspect and examine the claimant's petition of plaint and the writings therein referred to, shall call upon him to deliver within the period of seven days a statement of the objections he

Specification of documents and particulars to be submitted to the Collector by persons claiming to hold lands free of Assessment.

Collector, in case the claim should involve only the interest of Government, to proceed in the investigation of it, giving eight days previous notice to the party.

But if the claim be against an individual singly or jointly with Government, the Collector is to serve the party with a notice containing a statement of the demand, and requiring his attendance with the necessary documents and evidence.

Defendant's answer to be given within seven days.

In such cases no further pleadings to be required but Collectors may receive and record such subsidiary proceedings as are calculated to elucidate the claims.

he may desire to urge against the claim. In such cases no other pleadings shall be required from the parties than a plaint and answer, but it shall and may be lawful for Collectors to receive and record such subsidiary pleadings as may appear requisite for the elucidation of the merits of the claim. Collectors shall proceed to investigate every such case as soon as possible after the answer of the defendant shall be received; giving however as aforesaid eight days previous notice to the parties, of the day on which he may propose to bring it to a hearing. Provided, that in cases wherein the parties concerned, or their authorized representatives shall desire or consent (the same being signified in a written petition or Ikrarnamch to be filed with the proceedings) to have an immediate decision, whether the case shall originate in a claim on behalf of Government or in the suit of an individual, and whether the proceedings of the Collector shall be held under the provisions of Regulation II. 1819, or under those of this or any other Regulation touching the matter, it shall be competent to the Collector to proceed forthwith to the investigation and decision of the case without issuing any formal summons or notice.

After the receipt of the Defendant's answer, eight days notice to be given of the day on which it is proposed to bring it to a hearing.

Proviso in case an immediate decision shall be petitioned for.

Collectors, &c. if of opinion that any tract of land belongs to Government and that no individual has bonâfide possession thereof, to require by a notification the attendance before him of all claimants within a given period.

Twelfth. Whenever a Collector or other Officer exercising the powers of Collector shall be of opinion that any tract of Land belongs to Government, and that no individual has bonâfide possession thereof, it shall be competent to him, by a notification, to be stuck up in his Kutcherrie, in the Zillah Court and in the Kutcherrie of the Canoongoe, Moonsif, or Thanadar, to whose jurisdiction the land in question may belong or adjoin, to require all claimants to the same to appear before him, within a reasonable time to be fixed by the

Board

Board of Revenue, not being less than six weeks from the date of such notification; and on the appearance of such claimants to proceed to investigate their claims in the manner prescribed by Regulation II. 1819, for investigations relative to the liability of lands to be assessed as herein modified. Provided further that, if the Collector or other Officer aforesaid shall decide that none of the claimants have bonâfide possession of the lands in question, and his decision shall be affirmed by the Board of Revenue, the said lands shall be at the disposal of Government, until the same shall be adjudged to be private property by a decree of Court on a regular suit. Provided also that all such suits, if preferred by one of the claimants before the Collector, shall be dismissed with costs, unless instituted within six weeks of the date on which the Board may affirm the decision of that Officer, and that the rule contained in Clause II. Section XIII. Regulation II. 1819, shall be strictly applied to such suits: Nor shall any such suit be admitted on the part of any person who may not have appeared before the Collector pursuant to notice unless he shall be able to shew good and sufficient cause for his non-appearance and shall apply for permission to sue within six weeks of his being informed of the Board's decision: Provided further, that if the party shall not prosecute his suit within six weeks of being permitted to sue, the suit shall be dismissed with costs.

And on the appearance of such claimants to proceed in the investigation of the claims in the mode prescribed by Regulation II. 1819.

Proviso in case no person has bonâfide possession of the land.

Further Proviso.

VI. It shall be competent to the Governor General in Council by an order in Council to vest any Collector or other Officer who may be deputed to hold a local enquiry within the limits of any Mehal, with the same powers and authority in regard to all lands held free of Assessment within or adjoining to

Power reserved to the Governor General in Council to vest any Collector, &c. deputed to hold a local enquiry within the limits of any Mehal with the same powers and authority in regard to lands held free of Assessment in all villages adjoining such Mehal.

to the village or villages, in which the lands of such Mehal or any part thereof may be situated, and for the investigation of all claims touching such lands as by the foregoing provisions are vested in Collectors making settlements in the manner prescribed by Regulation VII. 1822: and also from time to time to depute Collectors or other Officers aforesaid for the purpose of ascertaining, recording, or investigating the said claims in the manner above prescribed.

All lands held free of Assessment within villages and Mehals, of which the settlement may be made under Regulation VII. 1822, to be particularized and fully recorded on the proceedings of the Collector, &c.

VII. The particulars of all lands held free of Assessment within all villages and Mehals, of which the settlement may be made under the provisions of Regulation VII. 1822, shall be fully recorded in the proceedings of the Collector or other Officer making the settlement.

Nothing contained in Regulation II. 1819, &c. to be construed to affect specific enactments applicable to Benares and the Conquered Provinces relative to illegal grants of land made subsequent to the dates specified in the rules respectively.

Lands now held free of Assessment that were formerly subject to the payment of revenue and have not since become exempted by competent authority, may be resumed and Assessed by the Revenue authorities.

VIII. Nothing contained in Regulation II. 1819, or in any other Regulation in force, shall affect or be considered to affect the provisions contained in Section X. Regulation XIX. 1793, Section XI. Regulation XXXI. 1803, and in the corresponding enactments applicable to Benares and the Conquered Provinces, relative to grants illegally made, subsequently to the dates specified in the said Rules respectively: and in all cases, in which it shall be established to the satisfaction of the Revenue authorities, that any lands now held free of Assessment, were subject to the payment of Revenue at the dates aforesaid or subsequently thereto and that they have not been thereafter exempted from the payment of Revenue under the authority of the Governor General in Council nor adjudged to be exempted from payment of Revenue under a Regular decree of Court; it shall and may be lawful for the said authorities forthwith to resume and Assess the said

said lands; save and except in cases wherein the Revenue of the same may belong to a Zemindar, Talookdar, or other Malgoozar, with whom a permanent settlement has been concluded: nor shall the provisions of Section XXII. Regulation II. 1819, apply to such cases.

Exception in cases where the Revenue may belong to a Zemindar, &c. with whom a permanent settlement has been concluded.

IX. It is hereby declared and enacted that the rules relative to the abolition of Sayer duties, and the provision contained in Section XXXIX. Regulation IX. 1810, are not and shall not be held to be applicable to any item of Sewaee Collections or Cess levied by Malgoozars and others according to ancient custom, which has been or shall be sanctioned by a Collector or other superior Revenue authority, not being a tax on the Transport, Export, or Import of Goods or Merchandise or other tax or duty specifically prohibited: But after the settlement of any village or Mehal shall have been made in the manner specified in Section IX. Regulation VII. 1822, the rules and provisions aforesaid shall be applicable to all Cesses and Collections not sanctioned in the manner specified in that Section.

The Rules relative to the abolition of the Sayer duties and the provisions contained in Section XXXIX. Regulation IX. 1810, declared inapplicable to any item of Sewaee Collections or cess levied by Malgoozars, &c.

After the settlement of any Mehal shall have been made, the rules adverted to shall be applicable to all cesses not sanctioned in the mode specified in Section IX. Regulation VII. 1822.

A. D: 1825. REGULATION X.

A REGULATION *more distinctly to define the meaning and intent of the provisions contained in Regulations XXXI. of* 1793, *and XXXVII. of* 1803, *which prescribe Rules for the conduct of Commercial Residents carrying on Trade for themselves:*—PASSED *by the Governor General in Council on the* 19*th May* 1825, *corresponding with the* 7*th Jeyte* 1232 *Bengal Era; the* 17*th Jeyte* 1232 *Fussily; the* 8*th Jeyte* 1232 *Willaity; the* 1*st Jeyte* 1882 *Sumbut; and the* 30*th Rumzan* 1240 *Higeree.*

Preamble.

BY the several Clauses of Section XV. Regulation XXXI. of 1793, and the corresponding Clauses of Section XV. of Regulation XXXVII. of 1803, Rules are prescribed for the conduct of Commercial Residents, in carrying on Trade for themselves; and whereas the Seventh, Eighth and Tenth Clauses, of the abovementioned Sections, have not been construed to prohibit Commercial Residents from being engaged in partnership concerns in Trade, and it being deemed

deemed expedient strictly to prohibit Commercial Residents, and their Assistants from having concerns in partnership with any person or persons under any modification whatever, and it being also expedient clearly to define what is meant by the partnership transactions which are prohibited, the following additional Rules have been enacted, to be in force from the period of their promulgation.

Commercial Residents & their Assistants prohibited from engaging in any commercial transactions in partnership with others, and partnership concerns, now existing to be dissolved on or before the 31st December 1826.

II. Commercial Residents and their Assistants, are strictly prohibited from engaging in any Commercial transaction in partnership with any person or persons, under any modification whatever, and any of the said Commercial Servants, who may now be actually so engaged, are required to dissolve such partnership concern, on or before the 31st December 1826, and to give to the Board of Trade a declaration in writing, that such partnership is dissolved.

But are not forbidden from becoming Members of Insurance Companies, or Contributors to a Tontine or parties in any general association.

III. It is hereby declared, that the Rule enacted by the preceding Section, is not to be construed to forbid Commercial Residents or their Assistants, from becoming Members of Insurance Companies, or from being contributors to a Tontine or parties in any general association, the objects of which were not contemplated by Section XV. Regulation XXXI. of 1793, and by Section XV. Regulation XXXVII. of 1803.

A. D. 1825. REGULATION XI.

A REGULATION *for declaring the Rules to be observed in determining claims to Lands gained by alluvion, or by dereliction of a River, or the Sea:*—PASSED *by the Governor General in Council on the 26th May* 1825; *corresponding with the* 14*th Jeyte* 1232 *Bengal Era; the* 24*th Jeyte* 1232 *Fusly; the* 15*th Jeyte* 1232 *Willaity; the* 9*th Jeyte* 1882 *Sumbut; and the* 7*th Sowaul* 1240 *Higeree.*

Preamble.

IN consequence of the frequent changes which take place in the channel of the principal rivers that intersect the provinces immediately subject to the Presidency of Fort William, and the shifting of the Sands which lie in the beds of those Rivers, *Churs*, or small Islands, are often thrown up by alluvion in the midst of the stream, or near one of the Banks, and large portions of lands are carried away by an encroachment of the River on one side, whilst accessions of land are at the same time, or in subsequent years gained by dereliction

dereliction of the water on the opposite side, similar instances of alluvion, encroachment, and dereliction also some times occur on the Sea Coast, which borders the Southern and South Eastern limits of Bengal. The lands gained from the Rivers or Sea by the means above mentioned, are a frequent source of contention and affray, and although the law and custom of the Country have established rules applicable to such cases, these rules not being generally known, the Courts of Justice have sometimes found it difficult to determine the rights of litigant parties claiming *Churs* or other lands gained in the manner above described. The Court of Sudder Dewanny Adawlut, with a view to ascertain the legal provisions of the Mahommedan and Hindoo Laws on this subject, called for reports from their Law Officers of each persuasion, and on consideration of the Reports furnished by the Law Officers in consequence, as well as of the decisions which have been passed by the Court of Sudder Dewanny Adawlut in cases brought before them in appeal which involved the rights of claimants to lands gained by alluvion, or by dereliction of Rivers, or the Sea, the Governor General in Council has deemed it proper to enact the following rules for the general information of Individuals as well as for the guidance of the Courts of Judicature; to be in force, as soon as promulgated throughout the whole of the Provinces subject to the Presidency of Fort William.

Claims and disputes relative to alluvial lands to be decided by immemorial and definite usage when such shall be clearly recognized and established.

II. Whenever any clear and definite usage of *Shekust pujwust*, respecting the disjunction and junction of land, by the encroachment or recess of a River may have been immemorially established, for determining the rights of the proprietors of two or more contiguous estates, divided by

a river (such as that the main channel of the River dividing the estates shall be the constant boundary between them, whatever changes may take place in the course of the River, by encroachment on one side, and accession on the other) the usage so established shall govern the decision of all claims and disputes relative to alluvial land, between the parties whose estates may be liable to such usage.

Where no such local usage may be established, the claims to be decided by the rules declared in the following Sections.

III. Where there may be no local usage, of the nature referred to in the preceding Section, the general rules declared in the following Section, shall be applied to the determination of all claims and disputes, relative to lands gained by alluvion or by dereliction either of a River or the Sea.

Lands gained by gradual accession from the recess of a River or the Sea, to be considered an increment to the tenure of the person to whose estate it may be annexed.

IV. *First.* When Land may be gained by gradual accession, whether from the recess of a river, or of the Sea, it shall be considered an increment to the tenure of the person to whose land or estate it is thus annexed, whether such land or estate be held immediately from Government, by a Zemindar or other superior Land-holder, or as a subordinate tenure, by any description of under-tenant whatever. Provided that the increment of land thus obtained shall not entitle the person in possession of the estate or tenure to which the land may be annexed, to a right of property or permanent interest therein beyond that possessed by him in the estate or tenure to which the land may be annexed, and shall not in any case be understood to exempt the holder of it, from the payment to Government of any assessment for the public Revenue, to which it may be liable under the provisions of Regulation II, 1819, or of any other Regulation

Proviso.

in

in force. Nor if annexed to a subordinate tenure, held under a superior Land-holder, shall the under-tenant whether a Khoodkhast Ryot, holding a Mouroosee Istimraree tenure at a fixed rate of rent per Begah, or any other description of under-tenant liable by his engagements, or by established usage to an encrease of rent for the land annexed to his tenure by alluvion, be considered exempt from the payment of any encrease of rent to which he may be justly liable.

When a River by a sudden change of its course may break through and intersect an estate, the lands so separated being clearly recognized, shall remain the property of the original owner.

Second. The above rule shall not be considered applicable to cases in which a river, by a sudden change of its course, may break through and intersect an estate, without any gradual encroachment, or may by the violence of its stream separate a considerable piece of land from one estate, and join it to another estate, without destroying the identity, and preventing the recognition of the land so removed. In such cases the land on being clearly recognized, shall remain the property of its original owner.

Churs or Islands thrown up in a large and navigable river, (the Channel between the Island and the shore not being fordable,) to be at the disposal of Government.

But if fordable, to whom they shall belong.

Third. When a *Chur* or Island may be thrown up in a large and navigable river (the bed of which is not the property of an individual,) or in the Sea, and the Channel of the river, or Sea, between such Island and the shore may not be fordable, it shall, according to established usage, be at the disposal of Government.—But if the Channel between such Island and the shore, be fordable at any season of the year, it shall be considered an accession to the land tenure or tenures of the person or persons, whose estate or estates may be most contiguous to it, subject to the several provisions specified in the first Clause of this Section, with respect to increment of land by gradual accession.

Fourth.

Fourth. In small and shallow rivers, the beds of which with the Julkur right of fishery, may have been heretofore recognized, as the property of individuals, any sand bank or Chur that may be thrown up, shall, as hitherto, belong to the proprietor of the bed of the river, subject to the provisions stated in the first Clause of the present Section.

Claims to Churs, &c. &c. thrown up in small and shallow rivers how to be determined.

Fifth. In all other cases, viz. in all cases of claims and disputes respecting land gained by alluvion, or by dereliction of a river, or the sea, which are not specifically provided for by the rules contained in this Regulation; the Courts of Justice, in deciding upon such claims and disputes shall be guided by the best evidence they may be able to obtain of established local usage, if there be any applicable to the case, or if not, by general principles of equity and justice.

Disputes relative to lands gained by alluvion or by dereliction of a river or the sea, not provided for by the provisions of the present Regulation how to be adjusted.

V. Nothing in this Regulation shall be construed to justify any encroachments by individuals on the beds or channel of Navigable rivers or to prevent the Zillah and City Magistrates or any other Officers of Government, who may be duly empowered for that purpose, from removing obstacles which appear to interfere with the safe and customary navigation of such rivers or which shall, in any respect, obstruct the passage of boats by tracking on the banks of such rivers, or otherwise.

Encroachments on beds of navigable rivers and other obstructions to their free navigation prohibited.

A. D. 1825. REGULATION XII.

A REGULATION *for defining the powers of the Courts of Circuit, and of the Nizamut Adawlut, in certain cases; for the uniform punishment of contempts of Court in any of the Courts of Judicature, Civil or Criminal; for exempting Females from corporal punishment by stripes, and for discontinuing the Corah as an instrument of punishment in all cases:*—PASSED *by the Governor General in Council on the 26th May* 1825, *corresponding with the* 14*th Jeyte* 1232 *Bengal Era; the* 24*th Jeyte* 1232 *Fussily; the* 15*th Jeyte* 1232 *Willaity; the* 9*th Jeyte* 1882 *Sumbut; and the* 7*th Sowaul* 1240 *Higeree.*

WHEREAS it appears expedient to restrict the Criminal Courts from adjudging corporal punishment by stripes, in cases of Affray and Contempt of Court; to discontinue the use of the Corah, as an instrument of punishment, in all cases; to exempt females from corporal punishment by stripes; to establish an uniform Rule for the punishment of contempts Preamble.

Contempts of Court in any of the Courts of Judicature, Civil or Criminal; to reduce, in some degree, the number of trials now referrible to the Court of Nizamut Adawlut, by providing for a final sentence to be passed by the Courts of Circuit, in cases of Culpable Homicide, not amounting to Murder and other cases, in which the Courts of Circuit are declared competent to pass sentence for a period of imprisonment not exceeding seven years, with a provision for referring the trial to the Nizamut Adawlut, if the Judge of Circuit shall, in any instance, consider the stated punishment to be insufficient; and whereas it is deemed proper to sanction by a legislative enactment the established practice of the Nizamut Adawlut of requiring the concurrence of at least two Judges of that Court in all sentences of death, the Governor General in Council has accordingly enacted the following Rules, to be in force as soon as promulgated throughout all the Provinces immediately subject to the Presidency of Fort William.

Rescinding the rules which authorize the Courts of Circuit to adjudge corporal punishment by stripes in cases of affray.

II. So much of Regulation II. 1823, or of any other Regulation in force, as authorizes the Courts of Circuit to adjudge corporal punishment by stripes in cases of Affray, is hereby rescinded.

No Female to be hereafter sentenced to Corporal punishment by stripes by any of the Courts of Criminal Justice.

III. No Female shall hereafter be sentenced to Corporal punishment by stripes, either by the Magistrates and their Assistants, or by any of the Courts of Criminal Justice.

The use of the Corah, as an instrument of punishment prohibited in all cases and the Ratan to be used in its stead.

IV. The use of the Corah, as an instrument of punishment in the execution of sentences of any of the Criminal Courts, is hereby prohibited. In future the Ratan shall be used

used, as the only instrument of punishment in the infliction of corporal punishment by stripes. The sentences and warrants of the Criminal Courts shall direct the same accordingly, and whenever the term "Corah" is used in the existing Regulation, the term "Ratan" shall be understood as substituted for it, by this Regulation.

The term Corah in the Regulations to be changed to Ratan.

V. *First.* Section LIX. of Regulation IX. 1793, and Section XXVIII. of Regulation VII. 1803; which authorize the infliction of corporal punishment by Ratans for Contempt of Court in the Courts of Circuit, are hereby rescinded.

Corporal punishment by Ratan for Contempt of Court in the Courts of Circuit prohibited.

Second. All persons amenable to the authority of the established Criminal Courts, who may be guilty of Contempt of Court in any of such Courts; shall be liable to a fine, proportionate to the circumstances of the case, not exceeding two hundred rupees, by order of the Court, in which the offence may be committed; and if the fine be not paid the offender shall be confined in the Civil Jail of the station, for such period as may be fixed in commutation thereof, not exceeding two months.

Persons, guilty of Contempt of Court in any of the Criminal Courts, to be liable to a fine, commutable if not paid to imprisonment in the Civil Jail.

Third. This rule is meant to include Wilful Contempts in the Courts of the Native Law Officers and Sudder Ameens to whom complaints of petty offences may be referred for trial, under the provisions of Regulation III, 1821; but the orders passed by the Law Officers and Sudder Ameens in such cases, shall be immediately reported to the local Magistrate or joint Magistrate, with a copy of the proceeding held in the case, for his consideration and orders.

Rule to be observed on the occurrence of Wilful Contempts in the Courts of the Sudder Ameens and native Law Officers.

VI.

The foregoing rule of commutation of fine to imprisonment to be also applicable to all the Civil Courts.

VI. *First.* The above rule commuting the penalty of fine when not paid to imprisonment for a period not exceeding two months, shall also be considered applicable to all the Civil Courts, already authorized by the Regulations in force to punish Contempts of Court in open Court, by a fine not exceeding two hundred rupees.

And extended to the Civil Courts of the Sudder Ameens and Moonsiffs with certain restrictions.

Second. It is further hereby extended to the Courts of the Sudder Ameens and Moonsiffs, with this restriction, that all fines for Contempt, which may be imposed by a Moonsiff, or by a Sudder Aumeen in his Civil Court, shall, previous to the enforcement of them, be reported with a copy of the proceeding held in the case, for the information and orders of the local Judge or Register, in like manner as fines on Witnesses refusing to give evidence, or to subscribe their depositions, in the Court of a Moonsiff, are required to be reported by the Rule contained in the third Clause of Section XXXI. Regulation XXIII. 1814.

The Courts of Circuit declared competent to pass final sentence and carry the same into execution, without a reference to the Nizamut Adawlut, in all cases of culpable homicide not amounting to wilful Murder.

And in certain other cases.

VII. *First.* In all cases wherein a prisoner, or prisoners, may be convicted before a Court of Circuit, of Culpable Homicide, not amounting to Wilful Murder, as well as in all other cases of a criminal conviction before the Courts of Circuit, wherein those Courts are expressly authorized by the Regulations to pass a final sentence, not exceeding imprisonment for the term of seven years, with or without stripes and hard labor, (provision being at the same time made, by the rules now in force, that if in any instance such a punishment appear to the Judge of Circuit insufficient, he is to refer the trial for the sentence of the Nizamut Adawlut,) it shall not hereafter be necessary to make such reference

reference, solely on the ground of supposed insufficiency of the stated punishment, which the Court of Circuit is empowered to adjudge. In all future cases of this nature, the Judge of Circuit concurring with his Law Officer, in the conviction of the prisoner, shall pass the sentence authorized by the Regulations; and shall order the same to be carried into execution without reference to the Nizamut Adawlut.

Second. Provided that nothing in the above clause shall be understood to preclude a reference to the Nizamut Adawlut, as heretofore, in cases wherein the sentence, which the Judge of Circuit is required to pass by any Regulation in force, shall appear to him too severe on due consideration of the nature and circumstances of the case.

In what cases a reference may be still made to the Nizamut Adawlut.

VIII. In trials referred to the Nizamut Adawlut, which may include one or more Prisoners liable to a sentence of Death, it shall not be competent to a single Judge of the Nizamut Adawlut to pass the final sentence, which in all such cases, shall be passed by at least two concurring Judges of the Court.

In trials referred to the Nizamut Adawlut, the final sentence of Death to be in future passed by at least two concurring Judges of the Court, instead of a single Judge.

A D. 1825. REGULATION XIII.

A REGULATION *to maintain the settlement made for certain Lands held exempt from the payment of Revenue by Canoongoes, in the Province of Behar; and to provide for the future settlement of such Lands, as well as of the Lands composing other resumed Lakheraj tenures, with the present occupants, when so directed by Government:—* PASSED *by the Governor General in Council on the 7th July* 1825, *corresponding with the 25th Assaur* 1232 *Bengal era; the 7th Sawun* 1232 *Fusly; the 26th Assaur* 1232 *Willaity; the 7th Sawun* 1882 *Sumbut; and the 19th Zekaad* 1240 *Higeree.*

WHEREAS it was enacted by Section V. Regulation II. of 1816, that the Revenue of Lands held by Canoongoes, generally in the Province of Behar, in virtue of their offices, Preamble.

offices, should be liable to resumption; and accordingly under that Law, various resumptions of Lands so held took place, and the parties to whom the Zemindaree interest in the same appeared to belong, were admitted to engage for the Government Revenue; but on the consideration of the proceedings held under the provisions of the above rule, it appeared to the Governor General in Council to be improper wholly to deprive the Canoongoes, or their representatives, of the advantages derived from such Lands, and enjoyed by them for a long course of years; and it was accordingly resolved by Government, on the 14th February 1822, that in cases where the Lands had been occupied and managed by the Canoongoes, or their representatives, and the rents received by them, they should be replaced in possession of such Lands, and a settlement made with them on the principle prescribed by Clause Second Section VIII. Regulation XIX. of 1793, viz. the Revenue to be paid to Government to be equal to one-half of the annual produce (or rental) of the Lands, calculated according to the rates at which other Lands in the Pergunnah of a similar description may be assessed, securing to the proprietors of the soil such Malikana or other allowance, as they might have received prior to the resumption of the official Minhye tenure; and Whereas the existing Laws relative to the settlement of resumed Lakheraj tenures, are not properly applicable to the case; and it appears to be expedient expressly to provide for the maintenance, by the Courts of Judicature, of the arrangement above described, in order that the Canoongoe Minhyedars may be secured in the possession, (subject to the quit-rent fixed by Government) of the Land, rents, and

produce

produce, heretofore possessed by them; and Whereas it is desirable to provide for the settlement, on the same principle, of any Lands that may be resumed under the corresponding rules relating to Canoongoes, and their official tenures, in other parts of the Country; and Whereas it appears to be generally expedient to make a distinct provision for securing to the holders of Lakheraj Lands, resumed by the Officers of Government, and assessed on the principle prescribed in Clause Second Section VIII. Regulation XIX. 1793, the benefits which that Law was designed to bestow; and to declare the competency of Government in other cases to continue the persons, who have heretofore occupied Lands free of assessment, or their representatives, in the possession of the same, notwithstanding such Lands being made subject to assessment; the following rules have been enacted for these purposes respectively, to be in force throughout the Territories subject to the Presidency of Fort William from the date of the promulgation of this Regulation.

Under certain circumstances Minhyedars and their heirs may be continued by Government in possession of resumed Lands heretofore held as Lakheraj tenures by Canoongoes.

II. In cases of Lakheraj tenures resumed under the provisions of Regulation IV. 1808, Regulations II. and V. 1816, or any other Regulation in force, relative to lands held by Canoongoes by virtue of their offices, where the Minhye or Lakheraj tenure, and the right of property in the Land, are vested in distinct parties, it shall be competent to the Governor General in Council, by instruction to the Revenue Board, or other authority, empowered to make the resumption, to continue the Minhyedars and their heirs, in possession and management of such Lands, subject to such assessment as he shall judge it proper to direct: and the parties claiming

Subject to assessment.

Restriction on parties claiming Zemin-

claiming the Zemindaree interest, or other proprietary right in such Mehals, shall not be entitled to any Land-rent, produce, or profit beyond what they may have enjoyed up to the period of the resumption of the tenure, or would have been entitled to receive, in the event of Government having confirmed the same in perpetuity, free of assessment. Persons consequently claiming to be Maliks of the said Lands, who, during the continuance of the Lakheraj tenure, had not possession of the same, whether they received a Malikana allowance, or otherwise, shall not disturb the possession of the Minhyedars, or their heirs and representatives, in any case wherein the Governor General in Council may have sanctioned such possession; and any suit preferred by such persons in a Court of Judicature, to recover possession, contrary to the intent and meaning of this rule, shall be dismissed with costs. Provided, however, that in all cases of the nature above mentioned, wherein the Zemindar, or other proprietor of the Land, may have received Malikana, or other proprietary due, during the existence of the Lakheraj tenure, he shall continue to receive the same, notwithstanding the resumption of the Lakeraj, in like manner, as if such resumption had not taken place.

daree interest or other proprietary right.

Who are prohibited from disturbing the possession of Minhyedars whose possession has been sanctioned by Government.

Proviso.

III. The tenures of the Minhyedars which have been confirmed to them, with the sanction of Government, by the arrangement referred to in the Preamble of this Regulation, or which may be so confirmed, in conformity with the preceding Section, are declared to be hereditary and transferrible: but should they escheat to Government, the parties possessing a Zemindaree interest or other proprietary right in

The tenures of Minhyedars so situated declared to be hereditary and transferrible, but should they escheat to Government the parties possessing Zemindarree interest will be admitted to engage for the revenue, subject to a fresh assessment.

in the Lands, will be admitted to engage for the Revenue, subject to a fresh assessment, to be adjusted on the actual assets under the general Regulations.

The principles of the above Sections to be applicable to all cases of Lakheraj resumptions coming within certain rules.

IV. The principles of Sections II. and III. of this Regulation shall be considered applicable to all cases of Lakheraj resumption under the general Regulations in force, which may come within the favorable rule of assessment contained in the Second Clause of Section VIII. Regulation XIX. 1793, in the Provinces of Bengal, Behar, and Orissa; or the Second Clause of Section VIII. Regulation XLI. 1795, in the Province of Benares, it being the evident intention of the Rule in question that it should be applied to persons who had been long in possession of the Lakheraj tenures made subject to assessment by the Regulations above cited; and whom it appeared equitable, in consideration of their long possession, to leave in occupancy of the Lands composing their respective tenures, at a moderate assessment, not exceeding a moiety of the annual rent produce.

Modifications of former Regulations relative to the settlement of resumed Jageer, Altumgha, Mududmash, Ayma or other Badshahee grants and to the resumption of Lakheraj tenures.

V. In modification of the existing Rules contained in Regulations XXXVII. 1793, XLII. 1795, and XXXVI. 1803, or any other Regulation in force, relative to the settlement of resumed Jageer, Altumgha, Mududmash, Ayma, and other grants of Land termed Badshahee, or Royal; and generally in qualification and explanation of all the Rules in force relative to the resumption of Lakheraj tenures, and the future assessment of lands composing the same; it is hereby further declared, that whenever such tenures may be pronounced invalid, or extinct, by a Revenue Board, or

other

other authority empowered to investigate the Lakheraj title in such tenures, under the provisions of Regulation II. 1819, or of any other Regulation in force, it shall be competent to the Governor General in Council, on a special report of the circumstances of the case, when it may appear just and proper, in consideration of the long possession of the actual occupant of the Land or of his ancestors, to direct his continuance in possession though not the Zemindar, Talookdar, or other Malik of the Land, on his engaging for the future assessment, on such terms as may be prescribed by Government, and in such cases the whole of the provisions contained in Sections II. and III. of this Regulation, shall be deemed applicable, and be maintained by the Courts of Judicature accordingly.

A. D. 1825. REGULATION XIV.

A REGULATION *to declare the extent of the authority possessed by the Revenue authorities, subordinate to the Governor General in Council, in the confirmation of Lakheraj Tenures; to define the principles to be followed in determining on the force and validity of grants made by Persons, exercising authority in different quarters previously to the acquisition of the Country by the British Government; and to provide for the due application of the general Laws and Regulations respecting Lands held free of Assessment, to the Territory Ceded by Govind Rao to the British Government; and annexed to the Zillah of Bundlecund, under the Provisions of Regulation II.* 1818:—PASSED *by the Governor General in Council on the* 14*th July* 1825, *corresponding with the* 32*d Assar* 1232 *Bengal*

1232 *Bengal Era; the* 14*th Sawun* 1232 *Fusly; the* 1*st Sawun* 1232 *Willaity; the* 13*th Sawun* 1882 *Sumbut, and the* 26*th Zekaad* 1240 *Higeree.*

Preamble.

WHEREAS doubts have arisen as to the extent of the authority possessed by the Revenue authorities subordinate to the Governor General in Council, in regard to the confirmation of Lakheraj tenures, which it is expedient to remove; and it is also desirable further to define the principles to be followed in determining on the force and validity of grants made by persons, exercising authority in different quarters, previously to the acquisition of the Country by the British Government; and it is necessary to make provision for the due application of the general rules in force, relative to Lakheraj tenures, to the Territory Ceded by Govind Rao to the British Government, and annexed to the Zillah of Bundlecund under the provisions of Regulation II. 1818, and whereas it is enacted by Clause first, Section XXVI. Regulation II. 1819, that in Suits instituted in the Zillah Courts to contest the decisions passed by the Revenue Boards, under the provisions of that Regulation, a special appeal only shall lie to the Provincial Courts, and that in like manner in cases decided in the first instance by a Provincial Court, excepting cases ultimately appealable to the King in Council, an appeal shall be received by the Sudder Dewanny Adawlut on special grounds only; and it appears to be expedient that the above restriction should not apply to cases wherein the decision of the Court may be opposed to the judgment of the Board of

of Revenue or other Authority, exercising the powers of that Board, but that such cases should be open to a regular appeal; the following rules have been enacted, in addition to, and in modification of, the Provisions of Regulations XIX. and XXXVII. 1793, Regulations XLI. and XLII. 1795, Regulations XXXI. and XXXVI. 1803, of such parts of Regulations VIII. and XII. 1805, as refer to Lakheraj lands, and of Regulation II. 1819; to be in force from the date of their promulgation, throughout the Provinces immediately subject to the Presidency of Fort William.

Lakheraj tenures declared not to be valid, except when granted or confirmed under the Sanction of Government.

II. It is hereby declared and enacted that the power of granting Lakheraj tenures, viz. tenures of land exempt from the public Assessment, either for life, or in perpetuity, as well as of confirming such tenures excepting by a regular judgment passed after a judicial enquiry, belongs and always has belonged exclusively to the Supreme Government; and no act, order, or decision, granting or confirming any tenure as aforesaid, within any of the Territories subordinate to this Presidency, after the annexation of such territories to the British Dominions, shall be held valid. unless the same shall have been done, issued, or passed, by or under the immediate directions of the Governor General in Council; or by some Officer expressly authorized by Government to grant or confirm such tenures, or with respect to the Confirmation of grants duly authorized, by some competent Court of Judicature in a Suit regularly tried and decided by it; or by one of the Revenue Boards acting in a judicial capacity, under the rules of Regulation VIII. 1811, whilst that Regulation (rescinded by Section II. of Regulation II. 1819.)

Or confirmed by a competent Court of Judicature, in a Suit regularly tried and decided, or by a Revenue Board acting under special rules in a Judicial Capacity.

was

was in force; and subsequently under the rules of Regulation II. 1819, or any other Regulation expressly empowering the Revenue Boards, after full investigation of Claims to exemption from Assessment under the general rules applicable to Lakheraj tenures, to pronounce a decision against the Assessment, to be considered final, except on proof in a Court of Judicature, of fraud or collusion in the previous enquiry. Provided also that no Resolution or Order passed by the Lieutenant Governor, and the Board of Commissioners in the Ceded and Conquered Provinces, the Board of Revenue, or other Authority exercising the powers of that Board, whereby the right of Government to Assess any Lakheraj lands may have been relinquished, or postponed, save and except decisions regularly passed according to the rules above cited, shall operate to the prejudice of Government, or be held to bar the Revenue Authorities from proceeding for the recovery of the public dues under the provisions of Regulation II. 1819, or any other rules in force, relative to the Resumption of Lakheraj tenures, held under invalid grants.

Right of Government to Assess Lakheraj Lands not barred by Resolutions or Orders of certain Officers and Authorities, except as above excepted.

III. *First.* The following principles are to be observed in determining the force and validity of grants made by Persons exercising Authority in the Provinces subordinate to this Presidency, previously to the acquisition of the Country by the British Government.

Rules for trying the validity of grants made by persons previously to the acquisition of the country by the British Government.

Second. Lakheraj tenures, of which uninterrupted possession shall have been held exempt from Assessment at and subsequently to the periods undermentioned, shall be and be considered

Lakheraj tenures of which uninterrupted possession shall have been held exempt from Assessment at and after certain dates, to be held valid.

considered to be valid, without evidence to any formal grant or confirmation, of the same; and shall be continued to Heirs in cases in which it may be clearly shewn from the nature and denomination of the tenure, that it is hereditary according to the ancient usage of the Country: viz. The 12th August 1765, if the tenure be in Bengal Behar or Orissa, (excepting Cuttack): The 14th October 1791, if the tenure be in Cuttack including Puttaspore or its dependencies; The 1st July 1775, if the tenure be in the Province of Benares; The 10th November 1789, if the tenure be in the Provinces Ceded by the Nuwaub Vizier in November 1801; The 1st January 1792, if in any of the Provinces Ceded by Dowlut Rao Scindia and the Peshwa under the treaties of the 16th and 30th December 1803; The 1st November 1805, if in the Pergunnah of Khandah or other territory Ceded by Nana Govind Rao on the 1st November 1817. Provided, however, that the above rule shall not apply to Cases of derivative tenures, wherein it may appear that the tenure is derived from a Jageerdar or other Person, who at any of the periods above specified held lands free of Assessment under a temporary or conditional tenure. In all such cases, the parcels of the land so held shall follow the condition of the principal tenure: and if that be resumable, will consequently be liable to resumption.

And in certain cases continued to Heirs.

Proviso in cases of a derivative tenure, from a Jageerdar or other person, who held rent-free Lands under a temporary or conditional tenure.

In such cases parcels of Land so held to follow the condition of the principal tenure.

Third. The proof of possession in the cases provided for by the preceding Clause, and (in the case of persons not the original grantees) of the hereditary nature of the tenure, shall be on the parties claiming to hold or recover the Lakheraj tenure: the general principle being, that the ruling power

The proof of the title to rest with the persons claiming to hold or recover the Lakheraj tenure.

power is entitled to a certain proportion of the produce of every beegah of land, excepting so far as it shall have transferred, relinquished, or compounded its right thereto; and all parties claiming the benefit of such exceptions being bound to establish their respective claims and titles.

One or more successions to any tenure, previous to the periods above specified not to establish a title of inheritance, unless it be of a hereditary nature.

Fourth. Provided also, that although one or more successions to any tenure as aforesaid may have taken place before the periods specified in the Second Clause, the fact shall not be taken to establish a title of inheritance, unless the tenure be clearly of an hereditary nature; or unless the right of inheritance therein shall have been admitted by the Governor General in Council, on a reference made to Government according to the Rules in force applicable to such cases.

The Courts of Judicature and Revenue Authorities shall not recognise any Potentate or authorities, save the persons described in this Clause, to have been vested with supreme power.

Fifth. The Courts of Judicature and Revenue Authorities shall not recognise any Potentate, or person, as having been vested with the Supreme power within any part of the Provinces subordinate to this Presidency, save and except the Kings of Delhee, the Soobadars of Bengal, Behar and Orissa, and the several Authorities, specified in Regulation XLII. 1795, Regulation XXXVI. 1803, and Regulations VIII. and XII. 1805; and with respect to the Territory Ceded by Nana Govind Rao, save and except Rajah Chuttersaul, and his predecessors, previously to the Mahratta Conquest of that territory in the year 1802 of the Sumbut Era (corresponding with 1730, of the Christian Era) and subsequently thereto his Highness the Peshwa, who then obtained the Supreme Authority in the territory referred to. If in any case grants shall be produced, purporting to have been made or confirmed

confirmed by any other person than as aforesaid, alleged to have been vested with the Supreme power for the time being; and it shall appear to the Court or other Authority investigating the same, that the plea is well founded, the Court or other Authority before whom the case may be depending, shall, before passing any decision thereupon, refer the point to the Governor General in Council, and be guided by his determination.

Conditions requisite to establish the validity of grants made by the Kings of Delhee or other of the authorities above specified.

Sixth. To the validity of grants made or confirmed by the Kings of Delhee, or by any of the rulers aforesaid, it is and shall be held to be necessary;

1st. That they were made or confirmed within the period, during which the person granting or confirming the same possessed and exercised Supreme power within the territory in which the lands specified in the grant are situate.

2d. That the grantee actually and bonâfide obtained possession of the land granted within the said period.

3d. That the grant was not subsequently resumed by the Officers or the orders of the Government for the time being, previously to the acquisition of the Country by the British Government, or, if so resumed, that the competence of the Officer to resume shall have been expressly disallowed by the Governor General in Council.

Specification of the periods at which the several Provinces subordinate to the Presidency of Fort

Seventh. The following shall be held for the purposes specified in this Regulation to be the periods at which the several

William were acquired by the British Government.

several Provinces subordinate to this Presidency were acquired by the British Government, viz. for Bengal, Behar, and Orissa, (excepting Cuttack) the 12th August 1765: for Benares the 1st July 1775; for the Provinces Ceded by the Nuwaub Vizier the 1st January 1801: for the Provinces Ceded by Dowlut Rao Scindia and the Peshwa the 1st January 1803: for the Province of Cuttack, Puttaspore, and its dependencies, the 14th October 1803: for the Pergunnah Khandah and the other territory Ceded by Nana Govind Rao, the 1st November 1817.

Conditions necessary to the validity of grants not made or confirmed by the Supreme Power.

Eighth. To the validity of grants not made or confirmed by the Supreme Power, (excepting tenures of long possession, described in the Second Clause of this Section) it shall be held to be necessary;

1st. That they were made or confirmed by some authority which the Governor General in Council shall have expressly declared competent to make or confirm the same.

2d. That the grantee actually and bonâfide obtained possession of the land granted; and that the revenue of the land was not subsequently resumed by competent authority.

Certain questions regarding Lakheraj tenures, resumed previously to the acquisition of the country by the British Government, to be decided by the Governor General in Council.

Ninth. Provided also that in cases in which any Lakheraj tenure may have been resumed previously to the acquisition of the country by the British Government, the determination of the question, whether the Officer, by whom, or by whose order the resumption may have been made, was legally competent to do so, shall in all cases, wherein it

may

may be necessary to determine this question, rest with the Governor General in Council. Moreover, all questions, touching the validity of grants made or confirmed by any officer subordinate to the Supreme power, or the legal effect of resumption by any such Officer, which may not have been expressly provided for by the Regulations, and which may be material to the decision of any Suit, or Inquiry, shall be referred by the Courts of Judicature, or other authorities, making the investigation, to the Governor General in Council for determination; unless the powers and competence of the Officer in question shall have been previously determined by Government.

Further questions to be referred to the Governor General in Council.

IV. Nothing in this Regulation shall be construed to affect the Provisions contained in Regulation XIX. 1793, Regulation XLI. 1795, Regulation XXXI. 1803, and Regulation XII. 1805 relative to lands, not exceeding 10 Beegahs, of which the produce is bonâfide appropriated to Religious or Charitable uses.

The present Regulation not to be applicable to Lands not exceeding 10 Beegahs, the produce of which is appropriated to religious or charitable uses.

V. Decisions passed by any Court of Judicature before the promulgation of this Regulation, in opposition to the principles therein declared, without due regard to the restricted powers of the revenue authorities as defined in this Regulation, shall be open to revision in the Court wherein the case may have been decided; as well as to a regular, as special appeal, (according as the case may have been already decided on appeal or otherwise) notwithstanding the elapse of time since the decision was passed: provided that the petition for a review, or appeal, be presented to the proper Court,

Decisions passed before the promulgation of the present Regulations, in opposition to the principles declared, shall be open to revision in the Court wherein the case was decided, and to appeals.

Court, in the manner prescribed by the Regulations, within one year after the promulgation of this Regulation; or if presented at a later period, that good and sufficient reason be assigned for the delay. Provided further, that if the decision shall have been passed by a Provincial Court, or by the Court of Sudder Dewanny Adawlut, it shall be competent to a majority of the Judges of such Court to admit the petition for a review, and to try and decide the case anew under the Provisions of this Regulation, whether they may have joined in passing the former decision or not; the restriction in Section III, Regulation II, 1825, being hereby, as a special exception, declared inapplicable to such cases.

Proviso.

Modification of Section XXVI, Regulation II. 1819.

VI. In modification of the Rules contained in Section XXVI, Regulation II. 1819, it is hereby enacted, that in cases wherein a Zillah Court shall annul or alter a judgment passed by the Board of Revenue, or other authority exercising the powers of that Board, under the provisions of the abovementioned Regulation, a regular appeal shall lie to the Provincial Court. In like manner, in cases tried in the first instance by a Provincial Court, if the decision of that Court shall reverse or alter the judgment of the Board of Revenue or other authority aforesaid, a regular appeal shall lie to the Court of Sudder Dewanny Adawlut, although the amount in contest shall be less than Five Thousand Pounds Sterling. The provisions of the abovementioned Section shall however still be applicable to cases in which the Zillah or Provincial Courts may maintain the decisions of the Revenue Boards, or other Authorities exercising the Powers of these Boards.

A. D. 1825. REGULATION XV.

A REGULATION *to make certain alterations in the Rates of Duty charged, and Drawbacks allowed on Goods imported or exported by Sea at the Port of Calcutta, or any other Place within the Territories immediately subordinate to the Presidency of Fort William; and to amend and consolidate the Rules in force relative to such Duties and Drawbacks.* —PASSED *by the Governor General in Council on the* 14*th July* 1825, *corresponding with the* 32*d Assaur* 1232 *Bengal era; the* 14*th Sawun* 1232 *Fusly; the* 1*st Sawun* 1232 *Willaity; the* 13*th Sawun* 1882 *Sumbut; and the* 26*th Zekaada* 1240 *Higeree.*

Preamble.

WHEREAS in pursuance of a Treaty recently concluded between the British Government and the Government of the Netherlands, it has become necessary to alter the Rates of

of Duty chargeable on Goods imported and exported on Foreign Bottoms: and whereas it has also appeared to be expedient to reduce, in certain cases, the Duties now levied or retained on Goods imported and exported on British Bottoms; and whereas it will essentially promote the public convenience, to consolidate and simplify the existing Rules (modified as aforesaid) relative to the Duties and Drawbacks to be charged or allowed, on Imports and Exports by Sea, the following Rules have been enacted to be in force from the date of their promulgation.

Rescission of existing provisions.

II. *First.* Such parts of the Rules contained in Regulation IX. 1810, Regulation III. 1811, Regulation XII. 1813, Regulation IV. 1815, Regulations XV. XVI. and XXI. 1817, Regulation V. 1820, and Regulation V. 1823, as have reference to the Rate of Duty to be levied, or the Drawback to be allowed, on Goods imported or exported by Sea at Calcutta, or any other Port or Place within the Territories immediately subordinate to the Presidency of Fort William, are hereby rescinded

Ditto.

Second. Regulation X. 1816, is also hereby rescinded.

Certain provisions to continue rescinded or modified.

Third. The several Provisions which were rescinded or modified by the Rules above-mentioned shall continue to be respectively rescinded or modified, as before the enactment of this Regulation.

Imports by Sea to be charged with duties, specified in Schedule No. 1, annexed to this Regulation.

III. *First.* Goods imported by Sea into Calcutta or any

any other Port or Place belonging to the Presidency of Fort William, on British or on Foreign Bottoms, shall be severally subject to the Duties specified in the Schedule No. I, annexed to this Regulation, with the exceptions therein stated. Provided, however, that the Rules contained in Section V. Regulation XXI. 1817, shall still be applicable to Goods, which may be originally imported by Sea on a British Bottom, at any Port in the Territories subject to the British Government in India; and shall afterwards be re-exported to Calcutta, or any Port immediately dependent on this Presidency.

Proviso.

Second. Goods imported by Sea as aforesaid, and charged with an Import Duty under the above Rule, shall, on Re-exportation, be allowed a Drawback at the several Rates, specified in the Schedule No. II, annexed to this Regulation: and no Drawback of Import Duty shall be granted, excepting as therein specifically allowed.

Re-exports to be allowed a drawback as specified in Schedule No. II.

Third. Articles, the produce or manufacture of Calcutta, or of the Interior of the Country, shall, on Exportation by Sea, be respectively passed Free, or subjected to Duty, or allowed a Drawback, according to the directions contained in the Schedule No. III, annexed to this Regulation; and the said Schedule, together with those mentioned in the two preceding Clauses, shall be, and be considered, a part of this Regulation.

Duties chargeable & drawbacks allowed on articles, the produce and manufacture of the country, when exported by sea, to be regulated by Schedule No. III.

SCHEDULE No. I.

Rates of Duty chargeable on Goods Imported by Sea into Calcutta, or any Port or Place belonging to the Presidency of Fort William.

Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
1st. Goods, the Produce or Manufacture of the United Kingdom.		
1. Bullion and Coin, ...	Free.	Free.
2. Horses, ...	Free.	Free.
3. Marine Stores, ...	Free.	2½ per Cent.
4. Metals, wrought and unwrought, ..	Free.	2½ per Cent.
5. Opium, ...	24 Rs. a Seer of 80 Sa. Wt.	48 Rs. a Seer of 80 Sa. Wt.
6. Precious Stones and Pearls, ..	Free.	Free.
7. Salt, ...	3 Rs. a Maund of 82 Sa. Wt. per seer. ...	6 Rs. a Maund of 82 Sa. Wt. per Seer.
8. Spirituous Liquors, ...	10 per Cent.	20 per Cent.
9. Tobacco, ...	4 Annas a Maund of 80 Sa. Wt. per Seer. ...	8 Annas a Maund of 80 Sa. Wt. per Seer.
10. Wines, ...	10 per Cent.	20 per Cent.
11. Woollens,.....	Free.	2½ per Cent.
Articles not included in the above Eleven Items, ...	2½ per Cent.	5 per Cent.
2d. Goods, the Produce of Foreign Europe, or of the United States of America.		
1. Arrack at a fixed valuation of £30 per Cask of 126 Gallons, ...	10 per Cent.	20 per Cent.
2. Bullion and Coin, ...	Free.	Free.
3. Horses, ...	Free.	Free.
4. Opium, ...	24 Rs. a Seer of 80 Sa. Wt.	48 Rs. a Seer of 80 Sa. Wt.
5. Precious Stones and Pearls, ..	Free.	Free.
6. Salt, ...	3 Rs. a Maund of 82 Sa. Wt. per Seer. ...	6 Rs. a Maund of 82 Sa. Wt. per Seer.
7. Spirits, ...	10 per Cent.	20 per Cent.
8. Tobacco, ...	4 Annas a Maund of 80 Sa. Wt. a Seer. ...	8 Annas a Maund of 80 Sa. Wt. per Seer.
9. Wines, ...	10 per Cent.	20 per Cent.
Articles not included in the above Nine Items, ...	5 per Cent.	10 per Cent.
3d. Goods, the Produce or Manufacture of Places, other than the United Kingdom, Foreign Europe, or the United States of America.		
1. All Spice, ...	10 per Cent.	20 per Cent.
2. Aloe Wood, ...	7½ ditto.	15 ditto.
3. Altah, ...	7½ ditto.	15 ditto.
4. Alum, ...	10 ditto.	20 ditto.
5. Ambergris, ...	7½ ditto.	15 ditto.
6. Arrack, Batavia, ...	55 Sa. Rs. per Leagur. ...	110 Sa. Rs. per Leagur.
7. Arrack, from Foreign Territories in Asia, ...	30 Sa. Rs. per Leagur. ...	60 Sa. Rs. per Leagur.
8. Arsenic, White, Red, or Yellow, ...	10 per Cent.	20 per Cent.
9. Assafœtida, ...	10 ditto.	20 ditto.
10. Awl Root, or Morinda, ...	7½ ditto.	15 ditto.
11. Beads, Malas or Rozaries, ...	7½ ditto.	15 ditto.
12. Beetle Nut, (Customs)	7½ ditto, ...	15 ditto.
Ditto, (Town Duty)	5 ditto.	10 ditto.
13. Benjamin, or Loban, ...	7½ ditto.	15 ditto.
14. Brandy, from Foreign Territories in Asia, ...	30 ditto.	60 ditto.

	Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
15.	Brass, wrought and unwrought, ...	10 per Cent.	20 per Cent.
16.	Brimstone, ...	10 ditto.	20 ditto.
17.	Brocades and Embroidered Goods, ...	7½ ditto.	15 ditto.
18.	Buhera, or Myrobolan, ...	10 ditto.	20 ditto.
19.	Buckum, or Sappan Wood, ...	7½ ditto.	15 ditto.
20.	Bullion and Coin, ...	Free.	Free.
21.	Calizeerah, or Nigellah, ...	7½ per Cent.	15 per Cent.
22.	Camphire, ...	10 ditto.	20 ditto.
23.	Canvas,—Excepting Canvas made of Sunn or Hemp, or other Material the Growth or Manufacture of places subject to the Government of the East India Company, which is exempted from charge of Duty on Importation by Sea, ...	5 ditto.	10 ditto.
24.	Cardamums, ...	7½ ditto.	15 ditto.
25.	Carriages and Conveyances, ...	7½ ditto.	15 ditto.
26.	Cassia, ...	10 ditto.	20 ditto.
27.	Chanks, ...	7½ ditto.	15 ditto.
28.	Cherayta, ...	10 ditto.	20 ditto.
29.	China Goods, or Goods from China, not otherwise enumerated in this Table,	7½ ditto.	15 ditto.
30.	Cloves, ...	10 ditto.	20 ditto.
31.	Cochineal, or Crimdanah, ...	7½ ditto.	15 ditto.
32.	Coffee, ...	7½ ditto.	15 ditto.
33.	Coir, the Produce of Places not subject to the Government of the East India Company in India, ...	5 ditto.	10 ditto.
34.	Coin and Bullion, ...	Free.	Free.
35.	Columbo Root, ...	10 per Cent.	20 per Cent.
36.	Coosum Fool, or Safflower, ...	7½ ditto.	15 ditto.
37.	Copal or Kahroba, ...	10 ditto.	20 ditto.
38.	Copper, wrought and unwrought, ..	10 ditto.	20 ditto.
39.	Coral, ...	10 ditto.	20 ditto.
40.	Cordage, — Excepting Cordage made of Sunn, Hemp or other Material, the produce of Places subject to the Government of the East India Company which shall be exempt from the charge of Duty on Importation by Sea.	5 ditto.	10 ditto.
41.	Crimdanah, or Cochineal, ...	7½ ditto.	15 ditto.
42.	Dhye Flower, ...	7½ ditto.	15 ditto.
43.	Elephant's Teeth, ...	7½ ditto.	15 ditto.
44.	Embroidered Goods and Brocades, ...	7½ ditto.	15 ditto.
45.	Frankincense, or Gundiberoza, ...	7½ ditto.	15 ditto.
46.	Galbanum, ...	10 ditto.	20 ditto.
47.	Galingall, ...	7½ ditto.	15 ditto.
48.	Ghee, (Customs,)	5 ditto.	10 ditto.
	Ditto, (Town duty,)	10 ditto.	20 ditto.
49.	Gin, from Foreign Territories in Asia, ...	30 ditto.	60 ditto.
50.	Goopee Muttee, or Yellow Ochre, ...	10 ditto.	20 ditto.
51.	Goomootoo, Sunn and Hemp, ...	Free.	Free.
52.	Gum Arabic, ...	10 per Cent.	20 per Cent.
53.	Gundiberoza, or Frankincense, ...	7½ ditto.	15 ditto.
54.	Hemp, Sunn or Goomootoo, ...	Free. ..	Free.
55.	Hurrah, or Myrobolan, ...	10 per Cent.	20 per Cent.
56.	Horses, ...	Free.	Free.
57.	Hursinghar Flower, ...	7½ ditto.	15 ditto.
58.	Hurtaul, or Orpiment, or Yellow Arsenic,	10 ditto.	20 ditto.
59.	Iron, wrought or unwrought, ..	10 ditto.	20 ditto.
60.	Ivory, ...	7½ ditto.	15 ditto.
61.	Juttamunsee, or Spikenard, ..	10 ditto.	20 ditto.
62.	Kullinjun, ...	7½ ditto.	15 ditto.
63.	Lead, pig, sheet, milled, and small shot, ..	10 ditto.	20 ditto.
64.	Loadh, ...	7½ ditto.	15 ditto.
65.	Loban, or Benjamin, ...	7½ ditto.	15 ditto.

	Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
66.	Mace, ...	10 per Cent.	20 per Cent.
67.	Madder, or Munjeet, ...	7½ ditto.	15 ditto.
68.	Mahogany, and all other sorts of Wood used in Cabinet-work, ...	7½ ditto.	15 ditto.
69.	Mastick, ...	10 ditto.	20 ditto.
70.	Minium, or Red Lead, ...	10 ditto.	20 ditto.
71.	Morinda, or Awl Root, ...	7½ ditto.	15 ditto.
72.	Munjeet, or Madder, ...	7½ ditto.	15 ditto.
73.	Musk, ...	7½ ditto.	15 ditto.
74.	Myrobolans, viz. Buhera, Hurra and Ownla, ...	10 ditto.	20 ditto.
75.	Myrrh, ...	10 ditto.	20 ditto.
76.	Nutmegs, ...	10 ditto.	20 ditto.
77.	Oils, Vegetable or Animal, (Customs,) ..	7½ ditto.	15 ditto.
	Ditto ditto, (Town duty,) ...	5 ditto.	10 ditto.
78.	Oil Seeds, (Customs,)	7½ ditto.	15 ditto.
	Ditto, (Town duty,)	5 ditto.	10 ditto.
79.	Oils, perfumed or essential, or Otter and Fooleyl Teyll, ...	7½ ditto.	15 ditto.
80.	Opium, Foreign, ...	24 Rs. per Seer of 80 Ca. Sa. Wt.	48 Rs. per Seer of 80 Ca. Sa. Wt.
81.	Orpiment, or Yellow Arsenic or Hurtaul,..	10 per Cent.	20 per Cent.
82.	Otter, or Essential Oils, ...	7½ ditto.	15 ditto.
83.	Ownla, or Myrobolan, ...	10 ditto.	20 ditto.
84.	Pepper, black and white, ...	10 ditto.	20 ditto.
85.	Piece Goods—Cotton, Silk, and partly Cotton and partly Silk, the Manufacture of the Hon'ble Company's Territories in India, ...	2½ ditto.	5 ditto.
86.	Ditto ditto ditto, when not the Manufacture of the Hon'ble Company's Territories in India, ...	7½ ditto.	15 ditto.
87.	Pimento, or All Spice, ...	10 ditto.	20 ditto.
88.	Pipe Staves, ...	7½ ditto.	15 ditto.
89.	Precious Stones and Pearls, ...	Free.	Free.
90.	Prussian Blue, ...	10 per Cent.	20 per Cent.
91.	Putcha Paut, ...	7½ ditto.	15 ditto.
92.	Quick Silver	10 ditto.	20 ditto.
93.	Rattans, ...	7½ ditto.	15 ditto.
94.	Red Sandal Wood, ...	7½ ditto.	15 ditto.
95.	Red Lead, or Minium, ...	10 ditto.	20 ditto.
96.	Rose Water, ...	7½ ditto.	15 ditto.
97.	Rum, from Foreign Territories in Asia, ..	30 ditto.	60 ditto.
98.	Saffron, ...	10 ditto.	20 ditto.
99.	Safflower, or Coossoom Fool, ...	7½ ditto.	15 ditto.
100.	Sago, ...	7½ ditto.	15 ditto.
101.	Salt, Foreign, ...	3 Rs. per Maund of 82 Sa. Wt. per Seer. ..	6 Rs. per Maund of 82 Sa. Wt. per Seer.
102.	Sandal Wood, red, white or yellow, ..	7½ per Cent.	15 per Cent.
103.	Sappan, or Buckum Wood, ...	7½ ditto.	15 ditto.
104.	Senna, ...	10 ditto, ...	20 ditto.
105.	Soonamookey Leaf, ...	10 ditto.	20 ditto.
106.	Spikenard, or Juttamunsee, ...	10 ditto.	20 ditto.
107.	Spirituous Liquors, not otherwise described in this Table, ...	10 ditto.	20 ditto.
108.	Steel, wrought and unwrought, ..	10 ditto.	20 ditto.
109.	Storax, ...	10 ditto.	20 ditto.
110.	Stones, (precious) and Pearls, ..	Free.	Free.
111.	Sugar, wet or dry, including Joggry and Molasses, (Customs,)	5 per Cent.	10 per Cent.
	Ditto ditto, (Town duty,)	5 ditto.	10 ditto.
112.	Sulphur, or Brimstone, ...	10 ditto.	20 ditto.
113.	Sunn, Hemp and Goonnotoo, ..	Free. .. .	Free.
114.	Tape, ...	7½ per Cent.	15 per Cent.

	Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
115.	Taizepaut, or Malabathrum Leaf, ..	10 per Cent.	20 per Cent.
116.	Tea, ...	10 ditto.	20 ditto.
117.	Teak Timber, ...	Free.	Free.
118.	Thread, ...	7½ per Cent.	15 per Cent.
119.	Tin and Tin Ware, ...	10 ditto.	20 ditto.
120.	Tobacco, (Customs,)	4 Annas per Maund of 80 Sa. Wt. per Seer.	8 Annas per Maund of 80 Sa. Wt. per Seer.
	Ditto, (Town duty,)	10 per Cent.	20 per Cent.
121.	Toond Flower, ...	7½ ditto.	15 ditto.
122.	Tugger Wood, ...	7½ ditto.	15 ditto.
123.	Turmeric, (Customs,)	5 ditto.	10 ditto.
	Ditto, (Town duty,)	5 ditto.	10 ditto.
124.	Tutenague, ...	10 ditto. .. :	20 ditto.
125.	Ugger, or Aloe Wood, ...	7½ ditto.	15 ditto.
126.	Vermillion, ...	10 ditto.	20 ditto.
127.	Verdigrease, ...	10 ditto.	20 ditto.
128.	Wax and Wax Candles, ...	10 ditto.	20 ditto.
129.	Wines and Spirits, not otherwise provided for, ...	10 ditto.	20 ditto.
130.	Wood, of all sorts used in Cabinet-work,	7½ ditto.	15 ditto.
131.	Yellow Ochre, or Goopee Mattee, ..	10 ditto.	20 ditto.
132.	Articles not enumerated above, ...	5 ditto.	10 ditto.

SCHEDULE

SCHEDULE No. II.

DRAWBACK ALLOWED ON RE-EXPORTS.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
1st. Articles, the produce or Manufacture of the United Kingdom.								
1. Bullion and Coin,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
2. Horses, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
3. Marine Stores, ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
4. Metals, wrought & unwrought,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
5. Opium, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
6. Precious Stones and Pearls, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
7. Salt, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
8. Spirituous Liquors, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
9. Tobacco, ..	Whole amount of Import Duty.	$\frac{3}{4}$ of ditto. ..	$\frac{2}{3}$ of ditto. ..	$\frac{1}{3}$ ditto. ..	Whole amount of Import Duty.	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
10. Wines, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
11. Woollens, ..	Nil. ..	Nil. ...	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil.
Articles not included in the above Eleven items, ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
2d. Articles, the Produce or Manufacture of Foreign Europe, or the United States of America.								
1. Arrack, at a fixed valuation of £30 per Cask of 126 Gallons,	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
2. Bullion and Coin,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
3. Horses, ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil.
4. Opium, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil.
5. Precious Stones and Pearls,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
6. Salt, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
7. Spirits, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
8. Tobacco, ..	Whole amount of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	Whole amount of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
9. Wines, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Articles not included in the above 9 Items,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.

	IMPORTED ON A BRITISH BOTTOM.				IMPORTED ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
3d. Articles, the Produce or Manufacture of places other than Europe, or the United States of America.								
1. All Spice, ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
2. Aloe Wood, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
3. Altah, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ dittto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
4. Alum, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
5. Ambergris,.. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
6. Arrack, Batavia,	$\frac{11}{12}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{23}{24}$ ditto. ..	$\frac{11}{12}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
7. Arrack, Manufacture of other Foreign Territories in Asia,	$\frac{11}{12}$ of Import-Duty, ...	$\frac{5}{6}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{23}{24}$ of Import Duty. ...	$\frac{11}{12}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
8. Arsenick, White, Red or Yellow,	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
9. Assafætida, ..	$\frac{3}{4}$ ditto, ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
10. Awl Root, or Morinda, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
11. Beads, Malas & Rosaries, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
12. Beetlenuts (Customs), ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto (Town Duty), ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty. ..	Whole amount Duty. ..	Whole amount of Duty.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
13. Benjamin, or Loban,.. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ of Import Duty. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
14. Brandy, Manufacture of Foreign Territories in Asia,	$\frac{11}{12}$ ditto, ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{23}{24}$ ditto. ..	$\frac{11}{12}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
15. Brass & Brass Ware, ..	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
16. Brimstone, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
17. Brocades and Embroidered Goods, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
18. Buhera, or Myrobolan, ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.
19. Buckum or Sappan Wood,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
20. Bullion & Coin,..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
21. Calizeerah, or Nigellah, ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
22 Camphire, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
23. Canvas, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
24. Cardamums, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
25. Carriages and Conveyances,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
26. Cassia, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
27. Chanks, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
28. Cheraytah, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
29. China Goods, or Goods from China not otherwise enumerated in this Table,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
30. Cloves, ...	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
31. Cochineal or Crimdanah,	$\frac{3}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
32. Coffee, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
33. Coir, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
34. Coin and Bullion,... ...	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
35. Columbo Root,... ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
36. Coosoom Fool, or Safflower,	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
37. Copal, or Kahroba, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto
38. Copper & Copper-ware,	$\frac{5}{6}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ...	$\frac{5}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.
39. Coral, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
40. Cordage, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
41. Crimdanah or Cochineal,	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
42. Dhye Flower, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
43. Elephant's Teeth, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
44. Embroidered Goods and Brocades,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

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	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
45. Frankincense or Gundeberoza,	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
46. Galbanum, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
47. Gallingall, ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
48. Ghee, (Customs)	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto, (Town Duty,) ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty.
49. Gin, Manufacture of foreign Territories in Asia, ..	$\frac{11}{12}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ...	$\frac{23}{24}$ of Import Duty. ..	$\frac{11}{12}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.
50. Goopee Mattee, or Yellow Ochre, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
51. Goomootoo, Sunn, and Hemp, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
52. Gum Arabic,..	$\frac{5}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
53. Gundeberoza, or Frankincense, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto, ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
54. Hemp, Sunn and Goomootoo,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
55. Hurrah or Myrobolan, ..	$\frac{5}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
56. Horses, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil. ...	Nil. ...	Nil.
57. Hursingahr Flower, ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
58. Hurtaul, or Yellow Arsenic, or Orpiment,	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto, ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

	IMPORTED ON A BRITISH BOTTOM.				IMPORTED ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
59. Indigo, the produce of the British Territories in India on a fixed valuation of 100 Rupees per Factory Md.	Whole amount of Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{5}$ of Import Duty.	$\frac{1}{5}$ of Import Duty.	Whole amount of Duty.	$\frac{2}{5}$ of Import Duty.	$\frac{2}{5}$ of Import Duty.	$\frac{2}{5}$ of Import Duty.
60. Indigo, other than the produce of the British Territories in India on a fixed valuation of 100 Rupees per Factory Md.	$\frac{2}{5}$ of Import Duty.	$\frac{1}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ...	$\frac{3}{4}$ of Import Duty.	$\frac{2}{5}$ ditto. ...	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
61. Iron, wrought and unwrought	$\frac{5}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ...	$\frac{2}{5}$ ditto. ...	$\frac{1}{5}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{5}{4}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
62. Ivory, ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ...	$\frac{2}{5}$ ditto.
63. Jutta Munsee or Spikenard,	$\frac{5}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{5}{4}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
64. Kullinjun, ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
65. Lead, Pig, Sheet, Milled, & small Shot,	$\frac{5}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ...	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{5}{4}$ ditto. ...	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
66. Loadh, ...	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
67. Loban, or Benjamin, ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
68. Mace, ..	$\frac{5}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{5}{4}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.
69. Madder or Munjeet, ...	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{1}{5}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto. ..	$\frac{2}{5}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
70. Mahogany and Cabinet wood generally, ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
71. Mastick, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
72. Minium or Red Lead, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
73. Morinda or Awl-root, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
74. Munjeet, or Madder, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
75. Musk, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
76. Myrobolans, viz. Buhera, Hurrah and Ownlah, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
77. Myrrh, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
78. Nutmegs, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
79. Oils, Vegetable or Animal (Customs,)	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto ditto, (Town Duty,)	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty.
80. Oil Seeds (Customs,) ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
Ditto, (Town Duty,) ..	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty. ..	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty,
81. Oils, perfumed and essential or Otter, and Foolel Teyll,	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty,	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
82. Opium, Foreign, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
83. Orpiment or Yellow Arsenic or Hurtaul, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
84. Otter or Essential Oils, ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
85. Ownla or Myrobolan, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
86. Pepper, black and white, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
87. Piece Goods, Cotton, Silk, and mixed with Cotton and Silk, the Manufacture of the Company's Territories, ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
88. Piece Goods generally the Manufacture of places other than those in this Table. ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
89. Pimento or All-Spice, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
90. Pipe Staves, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
91. Precious Stones and Pearls,..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.	Nil. ..	Nil.
92. Prussian Blue,	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
93. Putcha Paut, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
94. Quick Silver,	$\frac{5}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import-Duty, ..	$\frac{7}{8}$ of Import Duty. ...	$\frac{5}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
95. Rattans, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
96. Red Sandal Wood, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
97. Red Lead or Minium, ...	$\frac{5}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{5}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
98. Rose Water, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
99. Rum the Manufacture of Foreign Territories in Asia,..	$\frac{11}{12}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{23}{24}$ ditto. ..	$\frac{11}{12}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
100. Saffron, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{5}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
101. Safflower or Coosoom Fool	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
102. Sago, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
103. Salt, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.	Nil. ..	Nil. ..	Nil.
104. Sandal Wood, Red, White or Yellow, ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
105. Sappan or Buckum Wood,..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
106. Senna, ...	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{5}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
107. Soonamookey Leaf, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ...	$\frac{5}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
108. Spikenard or Jutta Munsee,	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{5}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
109. Spirituous Liquors not otherwise described in this Table, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
110. Steel, wrought and unwrought	$\frac{3}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
111. Storax, ...	$\frac{5}{7}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
112. Stones, Precious and Pearls, ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
113. Sugar and Sugar Candy, including Jagree and Molasses, (Customs,) ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
Ditto do. (Town Duty,) ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty...	Whole amount of Duty...	Whole amount of Duty..	Whole amount of Duty. ..	Whole amount of Duty.
114. Sulphur or Brimstone, ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty. ...	$\frac{5}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
115. Sunn, Hemp and Goomotoo, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
116. Tape, ..	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
117. Taizepaut or Malabathram Leaf, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{5}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
118. Tea, ...	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
119. Teak Timber, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
120. Thread, ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
121. Tin and Tin-Ware, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom*	*On a British Bottom.*	*On a Foreign Bottom*	*On a British Bottom.*	*On a Foreign Bottom.*
122. Tobacco, (Customs,) ..	Whole amount of Duty. ..	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	Whole amount of Duty. ..	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
Ditto (Town Duty,) ..	Ditto. ...	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Ditto. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty.
123. Toond Flower,	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Daty.	$\frac{2}{3}$ of Import Duty.
124. Tugger Wood, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
125. Turmeric, (Customs,) ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto, (Town Duty,) ..	Whole amount of Duty.	Whole amount of Duty. ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty.
126. Tutenague, ..	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ Of Import Duty. ...	$\frac{7}{8}$ Of Import Duty. ..	$\frac{3}{4}$ Of Import Duty. ..	$\frac{2}{3}$ Of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
127. Uggur or Aloe Wood, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
128. Vermillion, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
129. Verdigrease, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
130. Wax and Wax Candles, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
131. Wines and Spirits, not otherwise provided for,	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
132. Wood, Cabinet,	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
133. Yellow Ochre, or Goopee Muttee, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
134. Articles not enumerated above. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

SCHEDULE NO. III.

Rates of Duty Chargeable, and Drawback allowed on Articles the Produce and Manufacture of the Country, Exported by Sea from Calcutta or any other Port or Place belonging to the Presidency of Fort William.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	*If exported to the United Kingdom, Foreign Europe, or the United States of America.*				*If Exported to places other than those in Europe or the United States of America.*			
		On a British Bottom.		*On a Foreign Bottom.*		*On a British Bottom.*		*On a Foreign Bottom.*	
		Rate of Duty to be Charged.	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*
7½ pr. Ct.	Ajwain or Jowain,	Nil. ...	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ..	⅓ of Transit Duty, ...	2½ per Cent. ..	Nil.
2½ ditto.	All-Spice or Pimento, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Alkali, ...	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
7½ ditto.	Aloe Wood or Uggur, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ..	⅓ of Transit Duty, ...	2½ ditto. ..	Nil.
10 ditto.	Alum, ...	Nil. ..	¾ of Transit Duty.	Nil. ...	½ of Transit Duty, ...	Nil. ..	Nil. ..	10 ditto. ...	Nil.
7½ ditto.	Ambergris, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ...	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Ambergris, from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
7½ ditto.	Anise or Mowrie or Souf,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ...	⅓ of Transit Duty.	2½ ditto. ..	Nil.
10 ditto.	Arsenic, white, red, or yellow,	Nil. ...	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
10 ditto.	Assafœtida, ..	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Altah, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ...	⅓ of Transit Duty, ...	2½ ditto. ...	Nil.
7½ ditto.	Awl Root or Morinda, ..	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ..	Nil. ...	⅓ of Ditto. ...	2½ ditto. ..	Nil.
7½ ditto.	Beetlenut, (Customs.)	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Ditto, (Town Duty. ..	Nil. ...	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Benjamin or Loban,	Nil. ..	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Do. do, from Nepaul ..	Nil. ...	Nil. ...	2½ perCent. ..	Nil. ...	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Beads, Malas, or Rozaries,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
5 pr. Ct.	Blankets and Looeyes, ..	Nil. ..	½ of Transit Duty.	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 per Cent. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ...	Nil. ...	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Bombax or produce of the Semul tree,	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil.
5 pr. Ct.	Boots, Shoes & Slippers, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ...	Nil. ...	5 per Cent. ..	Nil.
5 ditto.	Borax and Tincal,	Nil. ..	½ of ditto. ...	Nil. ...	Nil. ...	Nil. ...	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ...	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Brass, unwrought,	Nil. ...	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
2½ ditto.	Brass, wrought or unwrought from Nepaul,	Nil. ..	Nil. ...	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ...	7½ ditto, ..	Nil.
10 ditto.	Brimstone, or Sulphur, ..	Nil. ...	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ...	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Brocades and Embroidered Goods, ..	Nil. ...	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ...	Nil.
2½ ditto.	Do. do. from Nepaul, or Oude, ..	Nil. ..	Nil. ...	2½ per Cent. ...	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Buhera or Myrobolan, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Buckum or Sappan Wood, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty. ...	2½ per Cent. ..	Nil.
Nil.	Buggies, Carriages & Palankeens,	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
Nil.	Bullion and Coin,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil.
7½ pr. Ct.	Calizeerah or Nigella, ..	Nil. ..	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent. ...	Nil.
7½ ditto.	Camphire, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ...	Nil.
Nil.	Canvas, Cordage, Coir, Hemp, Sunn or other materials of Country growth for the manufacture of Canvas or Cordage.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil.
7½ pr. Ct.	Cardimums, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent.	Nil.
7½ ditto.	Carpets and Setringes,...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ...	Nil.
Nil.	Carriages, Buggies, & Palankeens, ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
2½ pr. Ct.	Cassia from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
7½ ditto.	Chanks or Saunks, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Cheyratah, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
5 per Cent.	Chowries, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 per Cent. ...	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Chucrassy Wood,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Chunam, ...	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
5 ditto.	Chuttahs and Putties, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Civet, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Cloves from Nepaul, ..	Nil. ..	Nil. ..	2½ ditto. ..	Nil. ..	2½ ditto. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Cochineal or Crimdanah,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
5 ditto.	Cocoanuts with or without bark, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Columbo Root, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Cooseom Fool or Saffloweer,	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Copal or Kahrobah,	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
10 ditto.	Copper, unwrought, ..	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
2½ ditto.	Copper from Nepaul, wrought or unwrought,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Coral, ...	Nil. ...	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Coriander or Dhunia, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe, or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
12 As. per Md. of 96 Calcutta Sa. Weight or 5 per Ct.	Cotton Wool, in its cleaned state,	Nil. ..	Whole amount of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	12 As. pr. Md. of 96 Sa. Wt. or 5 per Ct.	Nil.
4 As. per Md. of 96 Calcutta Sa. Wt. or 5 pr. Cent.	Cotton Wool, in its uncleaned state or in the pod, ...	Nil. ..	Whole amount of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	4 As. per Md. of 96 Sa. Wt. or 5 per Ct.	Nil.
7½ ditto.	Cotton Yarn, ..	Nil. ...	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ...	7½ per Cent. ..	Nil.
5 ditto.	Cow Tails, ...	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil, ..	2½ per Cent. ..	Nil, ..	2½ per Cent. ..	Nil, ...	7½ ditto. ...	Nil.
7½ ditto.	Crimdanah or Cochineal, ..	Nil, ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	2½ ditto. ...	Nil.
7½ ditto.	Cummin or Jeerah,	Nil, ..	⅔ of ditto. ..	Nil, ..	⅓ of ditto. ..	Nil, ...	⅓ of ditto. ..	2½ ditto. ..	Nil.
5 ditto.	Dammer or Rosin,	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ...	5 ditto. ..	Nil.
7½ ditto.	Dhye Flower, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty.	Nil, ...	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Dhunnia or Coriander, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Dry Ginger, ..	Nil, ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ...	Nil.
7½ ditto.	Elephant's Teeth,	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Embroidered Goods and Brocades, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil, ..	7½ ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul or Oude, ...	Nil. ..	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ...	7½ ditto. ..	Nil.
7½ ditto.	Fooleyl Teyl or Perfumed Oils, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ..	7½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Allowed.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Frankincense or Gundeberoza, ..	Nil. ..	⅔ of Transit Duty, ..	Nil. ..	⅓ of Transit Duty. ..	Nil. ...	Nil. ..	7½ per Cent....	Nil.
2½ ditto.	Do. do. from Nepaul, ..,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ...	Nil.
7½ ditto.	Fringes, Tape, and Thread	Nil. ..	⅔ of Transit Duty. ...	Nil. ..	⅓ of Transit Duty. ...	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul or Oude, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ...	7½ ditto. ...	Nil.
5 ditto.	Furs, ...	Nil. ...	½ of Transit Duty. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Galbanum, ..	Nil. ...	⅔ of Transit Duty. ...	Nil. ..	⅓ of Transit Duty. ..	Nil. ..	⅓ of Transit Duty. ..	2½ ditto. ..	Nil.
10 pr. Ct. Town duty.	Ghee, ...	Nil. ..	¾ of Town Duty. ..	Nil. ..	½ of Town Duty, ..	Nil. ...	½ of Town Duty. ...	Nil. ...	Nil.
5 pr. Ct.	Gold & Silver Tissues, Lace & Thread, ..	Nil. ..	½ of Transit Duty. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 per Cent...	Nil.
10 ditto.	Goopee Muttee or Yellow Ochre,	Nil. ..	¾ of ditto. ...	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
Nil.	Grain, of all sorts,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil. ...	Nil.
7½ pr. Ct.	Gum Arabick, ..	Nil. ..	⅔ of Transit Duty. ..	Nil. ..	⅓ of Transit Duty. ..	Nil. ...	⅓ of Transit Duty. ...	2½ per Cent...	Nil.
5 ditto.	Gunnies and Gunny Bags,	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ...	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Gundeberoza or Frankincense. ..	Nil. ...	⅔ of ditto. ...	Nil. ..	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
2½ pr. Ct.	Gundeberoza or Frankincense from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ...	Nil.
5 ditto.	Hides, Raw, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ...	Nil. ..	Nil. ..	5 ditto. ...	Nil.
7½ ditto.	Hookah and Hookah Snakes, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Hurrah or Myrobolan, ..	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ...	Nil. ..	⅓ of Transit Duty. ..	2½ ditto. ...	Nil.
7½ ditto.	Hursinghar Flower, ..	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ...	Nil.
10 ditto.	Hurtaul or Yellow Arsenic, or Orpiment,	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ...	Nil.
10 ditto.	Jarrool Timber, Red or White, ..	Nil. ..	¾ of ditto. ...	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Jeerah or Cummin, ..	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	2½ ditto. ..	Nil.
5 ditto.	Indigo, on a fixed valuation of 100 Rs. per Factory Maund, ..	Nil. ..	Whole amount of Transit Duty. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
5 ditto.	Do. from Nepaul or Oude,	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Indian Red, or Ranga Muttee, ...	Nil. ...	¾ of ditto. ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Jowain or Ajwain, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	2½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe, or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
10 pr. Ct.	Iron, & Manufactured Iron,	Nil.	¾ of Transit Duty.	Nil.	½ of Transit Duty.	Nil.	Nil.	10 per Cent.	Nil.
2¼ ditto.	Do. do. from Nepaul,	Nil.	Nil.	2½ per Cent.	Nil.	2½ per Cent.	Nil.	7½ ditto.	Nil.
7½ ditto.	Jatta Munsee, or Spikenard,	Nil.	⅔ of Transit Duty.	Nil.	⅓ of Transit Duty.	Nil.	⅓ of Transit Duty,	2½ ditto.	Nil.
7½ ditto.	Ivory,	Nil.	⅔ of ditto.	Nil.	⅓ of ditto.	Nil.	Nil.	7½ ditto.	Nil.
7½ ditto.	Kahroba or Copaul,	Nil.	⅔ of ditto.	Nil.	⅓ of ditto.	Nil.	⅓ of Transit Duty.	2½ ditto.	Nil.
7½ ditto.	Keorah Water,	Nil.	⅔ of ditto.	Nil.	⅓ of ditto.	Nil.	Nil.	7½ ditto.	Nil.
2½ ditto.	Ditto from Nepaul,	Nil.	Nil.	2½ per Cent.	Nil.	2½ per Cent.	Nil.	7½ ditto.	Nil.
5 ditto.	Kutch,	Nil.	½ of Transit Duty.	Nil.	Nil.	Nil.	Nil.	5 ditto.	Nil.
5 ditto.	Lack Stick, Shell, Cake & Seed, or Jooty,	Nil.	½ of ditto.	Nil.	Nil.	Nil.	⅓ of Transit Duty.	Nil.	Nil.
5 ditto.	Lace, gold and silver,	Nil.	½ of ditto,	Nil.	Nil.	Nil.	Nil.	5 per Cent.	Nil.
5 ditto.	Leather,	Nil.	½ of ditto.	Nil.	Nil.	Nil.	Nil.	5 ditto.	Nil.
7½ ditto.	Loadh,	Nil.	⅔ of ditto.	Nil.	⅓ of Transit Duty,	Nil.	⅓ of Transit Duty.	2½ ditto.	Nil.
7½ ditto.	Loban or Benjamin,	Nil.	⅔ of ditto.	Nil.	⅓ of ditto.	Nil.	Nil.	7½ ditto.	Nil.
2½ ditto.	Do. do. from Nepaul,	Nil.	Nil.	2½ per Cent.	Nil.	2½ per Cent.	Nil.	7½ ditto.	Nil.
7½ ditto.	Long Pepper and its Root, called Piplamoor,	Nil.	⅔ of Transit Duty,	Nil.	⅓ of Transit Duty.	Nil.	⅓ of Transit Duty.	2½ ditto.	Nil.
5 ditto.	Looeys and Blankets,	Nil.	½ of ditto.	Nil.	Nil.	Nil.	Nil.	5 ditto.	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
2½ pr. Ct.	Looeys and Blankets, from Nepaul,	Nil. ...	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Mace, from Nepaul, ..	Nil. ..	Nil. ..	2½ ditto. ..	Nil. ..	2½ ditto. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Madder or Munjeet, ..	Nil. ..	⅔ of Transit Duty, ...	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Mastick, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
2 Rs. each.	Matchlocks to be exported only in the mode directed by Section 85, Regulation IX. of 1810, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	2 Rs. each. ..	Nil.
2½ pr. Ct.	Malabathram Leaf or Taizepaut, from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
10 ditto.	Minium or Sindoor, ..	Nil. ..	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Morinda or Awl Root, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Mowrie, Anise or Souf, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Munjeet or Madder, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Musk, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Ditto, from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Myrobolans or Buhera, Hurrah, & Ownlah. ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent....	Nil.
7½ ditto.	Myrrh, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
5 ditto.	Natron or Sujjee Muttee,	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Nigellah or Calizeerah, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.
5 ditto.	Nuhs - Sudder or Sal Amoniac, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	5 ditto. ..	Nil.
2½ ditto.	Nutmegs from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ...	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Oil Seeds, Customs, ...	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty. ..	Nil. ...	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Do. Town Duty, ...	Nil. ...	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.
7½ ditto.	Oils, Vegetable or Animal, Customs, ..	Nil. ..	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	Nil. ...	Nil. ...	7½ per Cent. ..	Nil.
5 ditto.	Do. do. Town Duty, ...	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty. ..	Nil. ..	Whole amount of Town Duty. ..	Nil. ..	Whole amount of Town Duty.
7½ ditto.	Oils, Perfumed or Essential,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ...	7½ per Cent. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ...	Nil. ..	2½ per Cent. ...	Nil. ...	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Opium, purchased at the Govt. Sales,	Nil. ..	Nil. ...	Nil. ...	Nil. ..	Nil. ...	Nil. ...	Nil. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
10 pr. Ct.	Orpiment or Yellow Arsenic, or Hurtaul, ...	Nil. ..	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ...	Nil. ..	10 per Cent. ..	Nil.
7½ ditto.	Otter or Essential Oils, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ...	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ..	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Ownla or Myrobolans, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	2½ ditto. ...	Nil.
5 ditto.	Paper, Bengal, ..	Nil. ...	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
Nil.	Palankeens, Carriages, and Buggies, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ...	Nil. ...	Nil.
Nil.	Pearls and Precious Stones,	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil.
10 pr. Ct.	Peoree, ..	Nil. ..	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	10 per Cent. ..	Nil.
10 ditto.	Pepper, Black, and White,	Nil. ..	¾ of ditto. ..	Nil. ..	½ ditto. ..	Nil. ...	Nil. ..	10 ditto. ..	Nil.
2½ ditto.	Piece Goods, Cotton, the manufacture of Company's Territories, ..	Nil. ..	Nil.	Nil.	Nil. ..	Nil. ...	Nil. ...	Nil. ...	Nil.
2½ ditto.	Piece Goods, Cotton, from Nepaul or Oude, ..	Nil.	Nil.	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
2½ pr. Ct.	Piece Goods, Silk, or partly Silk and partly Cotton, ..	Nil. ..	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Pimento, or All-Spice, from Nepaul, ...	Nil. ...	Nil. ..	2½ ditto. ..	Nil. ..	2½ ditto. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Pipe Staves,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty. .. .	Nil. ..	Nil. ..	7½ ditto, ..	Nil.
7½ ditto.	Piplamoor or Long Pepper Root, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.
10 ditto.	Prussian Blue, ..	Nil. ..	¾ of ditto, ..	Nil. ...	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.
Nil.	Precious Stones and Pearls,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
7½ pr. Ct.	Putcha Paut, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ...	Nil.
5 ditto.	Putties & Chuttahs, ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
10 ditto.	Runga Muttee or Indian Red.	Nil. ..	¾ of ditto. ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Raw Silk Filature, on a fixed valuation of 7 Rs. per Seer of 80 Calcutta Sa. Wt.	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Ditto, Wound do. of 6 Rs. per Seer of do.	Nil. ..	⅔ of ditto. ...	Nil. ...	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe, or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Raw Silk, Tushah,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ...	Nil. ..	7½ per Cent. ..	Nil.
7½ ditto.	Do. Chussum, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Raw Hides, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
7½ ditto.	Rose Water, ...	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of Transit Duty. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ...	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Rosin or Dammer,	Nil. ..	½ of Transit Duty, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ...	5 ditto. ...	Nil.
Nil.	Rozaries, Beads, or Mallahs, ..	Nil. ...	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil.
10 pr. Ct.	Saffron, ...	Nil. ..	¾ of Transit Duty.	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 per Cent. ..	Nil.
7½ ditto.	Safflower or Coosoom Fool, ...	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
5 ditto.	Sal Amoniac or Nuhs Sudder,	Nil. ..	½ of ditto. ..	N.l. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Salt Petre, ...	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Sandal Wood, Red, White, or Yellow,	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Sappan or Buckum Wood,	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ..	Nil.
10 ditto.	Sall Timber, ...	Nil. ...	¾ of ditto. ..	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Saunks or Chanks, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Seemul Cotton, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil.
7½ pr. Ct.	Senna, ...	Nil. ..	⅔ of Transit Duty, ...	Nil. ...	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Setrungees and Carpets ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ per Cent. ..	Nil.
10 ditto.	Shawls, ...	Nil. ..	¾ of ditto. ...	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ..	10 ditto. ..	Nil.
4 As. each.	Shields, to be exported only. in the mode directed by Section 85, Regulation IX. of 1810.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	4 As. each. ..	Nil.
5 pr. Ct.	Shoes, Boots, and Slippers,	Nil. ..	½ of Transit Duty, ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	5 per Cent. ..	Nil.
10 ditto.	Sissoo Timber, ..	Nil. ..	¾ of ditto. ...	Nil. ..	½ of Transit Duty.	Nil. ...	Nil. ..	10 ditto. ..	Nil.
10 ditto.	Sindoor or Minium, ...	Nil. ...	¾ of ditto. ..	Nil. ...	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Sitsaul Wood, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Silk Raw Filature, on a fixed valuation of 7 Rs. per Seer, of 80 Calcutta Sa. Wt.	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ...	Nil. ..	7½ ditto. ...	Nil.
7½ ditto.	Silk, Bengal, Wound, on a fixed valuation of 6 Rs. per Sr. of 80 Calcutta Sa. Wt.	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
7½ ditto.	Silk, Tushah, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Silk, Chussum, ..	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ...	Nil. ..	7½ ditto. ...	Nil.
5 ditto.	Soap, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Souf, Anise, or Mowrie, ..	Nil. ..	⅘ of Transit Duty.	Nil. ..	⅕ of Transit Duty.	Nil. ..	⅕ of Transit Duty. ...	2½ per Cent....	Nil.
7½ ditto.	Soonamookey Leaf, ..	Nil. ..	⅖ of ditto. ..	Nil. ...	⅖ of ditto. ...	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
10 ditto.	Soondry Timber, ..	Nil. ..	¾ of ditto. ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Spikenard, or Jutta Munsee, ..	Nil. ...	⅖ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅕ of Transit Duty. ..	2½ ditto. ...	Nil.
6 Annas per Gallon Police or Excise Duty.	Spirits manufactured after the European manner, at any licensed distillery in any of the provinces under the Bengal Presidency, provided the quantity be 1000 Gallons or upwards.	Nil. ...	3 As. pr. Gallon.	Nil. ..	1½ As. pr. Gallon.	Nil. ..	3 As. pr. Gallon.	Nil. ..	1½ As. pr. Gallon.
6 Annas per Gallon Police or Excise Duty.	Do. do. if the quantity be less than 1000 Gallons,	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil.
10 pr. Ct.	Steel, wrought or unwrought,	Nil. ..	¾ of Transit Duty. ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 per Cent..	Nil.
2½ ditto.	Do. do. from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil.	7½ ditto. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
5 pr. Ct.	Stone Plates, ..	Nil. ..	½ of Transit Duty, ...	Nil, ..	Nil, ..	Nil, ..	Nil, ...	5 per Cent. ..	Nil.
7½ ditto.	Storax, ..	Nil. ..	⅔ of ditto. ..	Nil, ...	⅓ of Transit Duty. ..	Nil, ...	⅓ of Transit Duty. ..	2½ ditto. ...	Nil.
5 ditto.	Sujjee Muttee or Natron,..	Nil. ...	½ of ditto, ..	Nil, ..	Nil, ..	Nil, ..	Nil, ..	5 ditto. ..	Nil.
5 ditto.	Sugar, Jagry, Goor and Syrup, Customs, ..	Nil. ..	½ of ditto. ..	Nil, ..	Nil, ..	Nil, ..	Nil, ..	5 ditto. ..	Nil.
5 ditto.	Do. do. Town Duty, ...	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty, ...	Nil, ..	Whole amount of Town Duty. ..	Nil, ..	Whole amount of Town Duty.
10 ditto.	Sulphur, or Brimstone,	Nil. ..	¾ of Transit Duty.	Nil, ..	½ of Transit Duty, ..	Nil, ..	Nil, ..	10 per Cent....	Nil.
1 Rs. each.	Swords, to be exported only in the mode directed by Section 85, Regulation IX. of 1810,	Nil. ..	Nil. ..	Nil, ..	Nil. ..	Nil, ..	Nil, ..	1 Rs. each, ...	Nil.
7½ pr. Ct.	Tape, Thread, and Fringes,	Nil.	⅔ of Transit Duty, ...	Nil, ...	⅓ of Transit Duty, ...	Nil, ..	Nil, ..	7½ per Cent....	Nil.
2½ ditto.	Do. do. from Nepaul, or Oude, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Taizepaut, or Malabathram Leaf from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ...	Nil. ...	2½ ditto. ...	Nil. ..	7½ ditto. ..	Nil.
Nil.	Teak Timber, ...	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Thread, Tape, and Fringes,	Nil. ..	⅔ of Transit Duty. ...	Nil. ..	⅓ of Transit Duty. ...	Nil. ...	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Do. do. from Nepaul or Oude, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Thread, Gold and Silver,	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
5 ditto.	Tincal, or Borax, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Tissues, Gold and Silver,	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
4 As. per Maund.	Tobacco, Customs ...	Nil. ..	Whole amount of Transit Duty.	Nil. ..	All in excess of 5 pr. Ct. on the Value.	Nil. ..	All in excess of 5 pr. Ct. on the Value.	Nil. ..	All in excess of 10 pr. Ct. on the value.
10 pr. Ct.	Tobacco, Town Duty, ..	Nil. ...	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ...	Whole amount of Town Duty.
7½ ditto.	Toon Wood, ..	Nil. ...	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ per Cent. ..	Nil.
7½ ditto.	Toond Flower, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	2½ ditto. ..	Nil.
5 ditto.	Tooteeah, or Vitriol, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Tuggur, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.
5 ditto.	Turmeric, Town Duty,	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
10 ditto.	Vermillion, ..	Nil. ...	¾ of ditto. ..	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ...	10 ditto. ..	Nil.
10 ditto.	Verdegrise, ..	Nil. ..	¾ of ditto, ...	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	*If Exported to the United Kingdom, Foreign Europe, or the United States of America.*				*If Exported to places other than those in Europe, or the United States of America.*			
		On a British Bottom.		*On a Foreign Bottom.*		*On a British Bottom.*		*On a Foreign Bottom.*	
		Rate of Duty to be Charged.	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*
7½ pr. Ct.	Uggur or Aloe Wood, ...	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent. ..	Nil.
7½ ditto.	Vidry Ware, ..	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Vitriol, or Tooteeah, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	5 ditto. ..	Nil.
10 ditto.	Wax, and Wax Candles, ..	Nil. ..	¾ of ditto. ..	Nil. ..	½ of Transit Duty, ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
5 ditto.	Woollens, viz. Looyes, and Blankets, ...	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Yellow Ochre, or Goopy Muttee,	Nil. ..	¾ of Transit Duty.	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ...	10 ditto. ...	Nil.
	Country Articles not enumerated in this Table & which have not been specifically exempted from duty by this Regulation, shall, if they are not liable to any Transit or Town Duty, pay, on Exportation,	2½ per Cent. ..	Nil. ..	5 per Cent. ..	Nil. ..	5 per Cent. ..	Nil. ..	10 per Cent. ..	Nil.

NOTE.—The above Duties and Drawbacks are to be charged and allowed on Goods duly covered by Rowannahs evidencing the payment of Inland or Town Duty. No Drawback shall be allowed on any of the said Goods, which may be brought for Exportation, without a Rowannah, or with a Rowannah, of which the period has expired, but on the exportation of such Goods (except in Cases wherein the whole Amount of Inland Duty is drawn back,) an Export Duty shall be levied, in addition to that specified in the Table, equivalent to the prescribed Transit Duty chargeable on the like Goods minus—the Drawback receivable on the Export of the same.

A. D. 1825. REGULATION XVI.

A REGULATION *to make further provision for empowering the Courts of Circuit to pass sentence in certain cases of Robbery without reference to the Court of Nizamut Adawlut:*—**PASSED** *by the Governor General in Council on the* 21*st July* 1825, *corresponding with the* 7*th Sawun* 1232 *Bengal Era; the* 21*st Sawun* 1232 *Fusly; the* 8*th Sawun* 1232 *Willaity; the* 6*th Sawun* 1882 *Sumbut, and the* 4*th Zehijja* 1240 *Higeree.*

Preamble.

WHEREAS under the Regulations in force the trials of all persons convicted before the Courts of Circuit of the crime of robbery by open violence, as defined in Section III. Regulation LIII. 1803, with an exception to the cases provided for in Regulation III. 1825, are referrible to the Court of Nizamut Adawlut; and Whereas the provisions contained in the latter Regulation, which were intended to relieve that Court from a part of the numerous trials referred to it, and at the same time to expedite the administration of

Criminal

Criminal Justice, have been found insufficient for this purpose; and it appears expedient that the Courts of Circuit should be empowered to pass sentence in certain other cases without reference; the Governor General in Council has therefore enacted the following rules, to be in force as soon as promulgated throughout the Provinces under this Presidency.

Certain Regulations relative to the punishment of the crime of robbery, rescinded or modified by the present Regulation.

II. Regulation III. 1825, is hereby rescinded; and so much of Section VIII. Regulation XVII. 1817, and of the preceding Regulations therein referred to, or of any other Regulation in force, as requires that the Courts of Circuit shall in all cases of conviction of the crime of robbery by open violence, as defined in the first Clause of Section III. Regulation LIII. 1803, refer the trial of the prisoner or prisoners so convicted for the final sentence of the Court of Nizamut Adawlut, is hereby modified, as stated in the following Section.

Judges of Circuit empowered to pass sentence upon persons convicted of robbery in certain cases, without reference to the Nizamut Adawlut.

III. *First.* In cases of conviction before a Court of Circuit of the crime of robbery by open violence, as defined in Section III. Regulation LIII. 1803, or of an attempt to commit the same, if the robbery shall not have been accompanied with murder, or with an attempt to commit murder, whether by wounding, burning, strangling, poisoning, drowning, throwing into a well, or by any other means, nor have been accompanied with wounding, burning, or other corporal injury to any person or persons in such a degree as to endanger life, nor have been attended with any other aggravating act of criminality, such as may appear to the Judge

of

of Circuit, before whom the trial is held, to merit and call for a more severe punishment than thirty-nine strokes with a ratan, and imprisonment with hard labor for fourteen years in banishment from the district where the prisoner may have resided, the Judge of Circuit concurring with his Law Officer in the conviction of the prisoner or prisoners is authorized and directed without reference to the Nizamut Adawlut (as required by the Sixth Clause of Section VIII. Regulation XVII. 1817,) to pass such sentence as he may deem adequate to the offence on due consideration of all the circumstances of the case, not exceeding the number of strokes and term of imprisonment with hard labor in banishment above specified.

The Judges of Circuit shall not be competent in certain cases to pass sentence for a less punishment than 14 years imprisonment in banishment.

Second. Provided in all cases, that if the robbery shall have been committed by a gang of three or more armed robbers, whether armed with any species of fire-arms, or with spears, swords, clubs or other weapons, the Court of Circuit shall not be competent to pass sentence on conviction for a less punishment than fourteen years imprisonment in banishment. If such punishment should appear in any such case to be too severe, the trial shall be referred to the Court of Nizamut Adawlut, with a letter from the Judge of Circuit, stating the circumstances which may induce him to propose a mitigated sentence.

The Judge of Circuit may refer the trial to the Court of Nizamut Adawlut for a mitigation of the sentence.

A. D. 1825. REGULATION XVII.

A **REGULATION** *for transferring the Zillah of Goruckhpore from the Jurisdiction of the Provincial Court of Appeal and Circuit of Benares and annexing it to that of the Court of Appeal and Circuit of Patna; for changing the order of holding the half yearly Jail Deliveries at the Stations comprized within the Several Circuits; for providing that the Sessions shall be held in future at the Stations of certain Joint Magistrates; for authorizing Special arrangements with respect to others, and for altering the periods fixed for the commencement of the* 1st *and* 2d *Circuits of the Calcutta Division.—Passed by the Governor General in Council on the* 4th *August* 1825, *corresponding with the* 21st *Sawun* 1232, *Bengal era; the* 6th *Sawun* 1232 *Fusly; the* 22d *Sawun* 1232 *Willaity; the* 5th *Sawun* 1882 *Sumbut, and the* 18th *Zehijja* 1240 *Higeree.*

WHEREAS

PREAMBLE.

WHEREAS it has been Judged expedient to separate the Zillah of Goruckhpore from the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Benares and to annex that Zillah to the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Patna, and whereas it has been deemed expedient to provide that the Stations of certain Joint Magistrates should be visited (some annually and others in the regular Course of Circuit) and the Sessions held there in cases where the adoption of the arrangement has been found to be consistent with public convenience; and whereas it has consequently become necessary to alter the order of succession prescribed in the existing Regulations for holding the Jail Deliveries at the several Stations comprized within the Circuits generally; and it appearing proper to alter the dates prescribed by Section III. Regulation II. 1804, for the commencement of the first and second Circuits for the Division of Calcutta: The following rules have been enacted to take effect from the promulgation of this Regulation; or with respect to the transfer of Zillah Goruckhpore from the 28th day of September 1825, corresponding with the 14th Assin 1232, Bengal era; the 1st Assin 1233 Fusly; the 15th Assin 1233 Willaity; the 1st Assin 1882 Sumbut, and the 14th Suffer 1240 Higeree.

The Zillah of Goruckhpore transferred from the jurisdiction of the Provincial Court of Appeal and Circuit for the Division of Benares and annexed to that of Patna.

II. Such parts of Regulation VIII, 1804, and of any other Regulation now in force as declare the Zillah of Goruckhpore subject to the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Benares

are

are hereby rescinded. The said Zillah shall hereafter be subject to the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Patna.

Modification of the existing order of succession for holding the Jail deliveries at the stations of the several Magistrates and Joint Magistrates.

III. Such part of Section VI, Regulation III, 1798, as prescribes the order of succession for holding the Jail Deliveries of the Dacca Division; such part of Section VII, Regulation II, 1804, as fixes the order of succession for holding the Jail Deliveries of the Patna Division, Clause First, Section VII, Regulation II. 1804, and Sections IV and V, Regulation I. 1806, are hereby rescinded, and the following order of succession for holding the Jail Deliveries at the Stations of the several Magistrates and Joint Magistrates of the Divisions of Bareilly, Benares, Calcutta, Dacca, Moorshedabad and Patna will hereafter be observed, instead of that prescribed in the several rescinded rules above quoted.

Bareilly Court of Circuit.

1. Furruckabad.
2. Cawnpore.
3. Etawa.
4. Mynpooree.
5. Agra.
6. Alligurh.
7. Boolund Shuhur.
8. Meeruth.
9. Moozuffer Nuggur.
10. Seharunpore.
11. Nugeena.
12. Moradabad.

Benares

Benares Court of Circuit.

1. Mirzapore.
2. Banda.
3. Hameerpore.
4. Bhitoora (Futtehpore.)
5. Allahabad.
6. Jounpore.
7. Azimgurh.
8. Ghazeepore.

Calcutta Court of Circuit.

1. Jessore.
2. Nuddeah.
3. Hooghly.
4. Burdwan.
5. Jungle Mahals.
6. Midnapore.

Dacca Court of Circuit.

1. Mymensingh.
2. Sylhet.
3. Tipperah.
4. Chittagong.
5. Noacally.
6. Backergunge.
7. Dacca Jelalpore.

Moorshedabad Court of Circuit.

1. Bhaugulpore.

2. Purneah.

2. Purneah.
3. Dinagepore.
4. Rungpore.
5. Rajeshahye.
6. Bagoorah.
7. Beerbhoom.

Patna Court of Circuit.

1. Ramgurh.
2. Behar.
3. Shahabad.
4. Goruckhpore.
5. Sarun.
6. Tirhoot.

IV. Circumstances connected with the public convenience having suggested the necessity of prescribing special rules for holding the Sessions at the stations of the Joint Magistrates of Barasut, Balasore, Maldah, Monghyr and Shahjehanpore, the following rules are hereby enacted:

Rules to be observed for holding the Sessions at certain stations.

First. The Judge who may proceed on the first Circuit for the Calcutta Division, shall, in the first instance, visit the Station of the Joint Magistrate of Barasut, and there hold the trial of any prisoners who may have been committed during the month immediately preceding the commencement of the Circuit, but all prisoners committed in the former months shall be sent for trial at the monthly sessions of the 24 Pergunnahs as heretofore. It shall not be necessary for

Viz. Barasut.

for the Judge of Circuit to visit the station of the Joint Magistrate of Nugwan whose commitments will be tried at the Sudder Station of Midnapore.

Viz. Balasore and Khoordah.

Second. The Commissioner of Cuttack will hold the half-yearly Jail Delivery of Prisoners committed by the Joint Magistrate of Balasore, at the Station of that officer, provided that when the other public avocations of the Commissioner may not admit of this arrangement, the prisoners committed by the Joint Magistrate shall be sent as heretofore to take their trial at the Sudder Station of Cuttack. It shall not be necessary for the Commissioner to visit the Station of the Joint Magistrate of Khoordah, whose commitments will continue to be tried at the Sudder Station of Cuttack as heretofore.

Ditto Malda.

Third. The Judge who may proceed on the Second Circuit for the Moorshedabad Division, shall, on concluding the Sessions at Bhaugulpore, proceed to Maldah, and there hold the trial of any persons who may have been committed since the last Jail Delivery. Any prisoners who may be committed for trial between the second and first Sessions shall be sent as heretofore to the Sudder Station of the Districts in which the Thannahs under the controul of the Joint Magistrate may be situated.

Ditto Monghyr.

Fourth. The Judge who may proceed on the first Circuit for the Moorshedabad Division, shall, on concluding the Sessions at Bhaugulpore, proceed to Monghyr, and there hold the trial of any prisoners who may have been committed

since

since the last Jail Delivery. Any prisoners who may be committed for trial between the first and second Sessions shall be sent for trial as heretofore to the Sudder Stations of the Districts in which the Thannahs under the controul of the Joint Magistrate may be situated; but as this Joint Magistracy comprises also portions of the Behar and Tirhoot Zillahs, all commitments, at whatever time made, for offences occurring in those Thannas subject to the Joint Magistrate's jurisdiction which are situated in the districts abovementioned, shall be sent to the Sudder Stations of those districts as heretofore for trial by the Patna Court of Circuit.

Fifth. The Judge who may proceed on the first Circuit for the Division of Bareilly shall visit the Station of the Joint Magistrate of Shahjehanpore, in the first instance; and there hold the trial of any prisoners who may have been committed during the month immediately preceding the commencement of the Circuit, but all prisoners committed in the former month shall be sent for trial at the monthly Sessions of Bareilly as heretofore. It shall not be necessary for the Judge of Circuit to visit the stations of the Joint Magistrates of Deyradoon or Sirpoorah and the prisoners committed to take their trial by those Officers shall be sent as heretofore to the Sudder Stations of Scharunpore and Furrukhabad respectively.

Viz. Shahjehanpore.

V. Such part of Section III, Regulation II. 1804, as declares that the first Circuit for the Calcutta Division shall commence on the 1st of April and the Second on the 1st of October, is hereby rescinded, and the first Circuit for that Division

Rule for the commencement of the Circuits for the Division of Calcutta.

Division shall in future commence on the 1st of May and the Second on the 1st of November.

The order of holding the Jail deliveries at the station of a Magistrate or Joint Magistrate may be altered in future without the enactment of a Regulation.

VI. In the event of any future alterations becoming necessary in the order of holding the Jail Deliveries at the Station of a Magistrate or Joint Magistrate, it shall be competent to the Governor General in Council to direct the same without the necessity of a new Regulation for that purpose.

A. D. 1825. REGULATION XVIII.

A REGULATION *for annexing the Settlement of Chinsurah, and other Territories, Ceded to the British Government by the Government of the Netherlands, to the Zillah and City Jurisdictions, most contiguous thereto; and to provide for the future administration of the said Territories:*—PASSED *by the Governor General in Council, on the* 25*th August* 1825, *corresponding with the* 11*th Bhadoon* 1232 *Bengal Era; the* 27*th Sawun* 1232 *Fusly; the* 12*th Bhadoon* 1232 *Willaity; the* 12*th Sawun* 1882 *Sumbut, and the* 10*th Mohurrem* 1241 *Higeree.*

PREAMBLE.

WHEREAS in pursuance of a Treaty concluded between the British and Netherlands Governments, on the 17th day of March 1824, the Settlement of Chinsurah, and Territory appertaining thereto, as well as the Factories and Lands held by the Netherland Authorities at Calcapore, Dacca, Fulta, Patna and Balasore, in the Provinces of Bengal, Behar and Orissa, have been Ceded in perpetuity to the British Government, and whereas it is necessary, in consequence, to make provision for the future administration

of

of the said Settlement and Territories; and for annexing the same to the most contiguous Zillah and City Jurisdictions; the Governor General in Council has accordingly enacted the following Rules to be in force from the time of their promulgation.

Settlement of Chinsurah annexed to Zillah Hooghly.

II. *First.* The Town and Settlement of Chinsurah shall be annexed to and included in the Zillah of Hooghly.

The Dutch Factories at Calcapore and at other places annexed to the Zillah and City Jurisdictions within which they are situated.

Second. The late Dutch Factories at Calcapore and Dacca, and the Lands appertaining to them, shall be annexed to the City Jurisdictions of Moorshedabad and Dacca respectively; those at Fulta and Balasore, shall be annexed to the Zillah Jurisdictions of the 24 Pergunnahs and Cuttack respectively, and the late Dutch Factory at Patna, and the Lands appertaining to it, shall be annexed to the Jurisdiction of the City of Patna.

The administration of Civil and Criminal Justice and the Collection of Revenue in the above Settlement and Territories to be conducted under the Regulations in force.

III. Subject to the provisions contained in this Regulation, the Rules for the administration of Civil and Criminal Justice, and the Police in the Provinces of Bengal, Behar and Orissa, as well as those for the Collection of the Land Revenue, Customs, Abkaree, and Stamp Revenues, and generally the whole of the Regulations in force for the internal administration of the Provinces abovementioned, (the special Rules for Cuttack only excepted) are hereby declared to be in full force and effect in the Settlement and Territories specified in the preceding Section, from the date of the promulgation of this Regulation.

IV. *First*

IV. *First.* It shall be competent to the Governor General in Council, to refer to the Court of Sudder Dewanny Adawlut, and that Court is hereby authorised to hear and determine, any appeals from decisions already passed by the European Court of Civil Justice at Chinsurah, which have been referred for final decision to the Dutch Superior Court at Batavia, but have not been decided by that Court.

Appeals from decisions already passed at Chinsurah and which have been referred to the Court at Batavia but not decided there, how to be tried.

Second. It shall further be competent to the Court of Sudder Dewanny Adawlut, to receive and determine any appeals from decisions in Civil Suits, which may have been decided by the European Court at Chinsurah, before the Cession of that Settlement to the British Government, and which were appealable to the Superior Court at Batavia; but the appeals in which had not been preferred, or, if preferred, the proceedings in which had not been referred to the Batavia Court. Provided with respect to all appeals not actually preferred and admitted before the Cession, that they shall not be admitted by the Court of Sudder Dewanny Adawlut, without good and sufficient cause being shewn for the delay.

Appeals to be received in certain other cases by the Court of Sudder Dewanny Adawlut from decisions passed before the Cession.

Third. Provided also that the laws and usages which governed the decisions of the European Court of Justice at Chinsurah, shall govern the decisions of the Court of Sudder Dewanny Adawlut in all appeals which may be tried and decided by that Court under the provisions of this Section.

The decisions of the Court in such cases to be regulated by the laws and usages which governed the decisions of the European Court of Justice at Chinsurah.

Fourth. If the amount or value in any of the appealed cases referred to in the Second Clause of this Section shall not exceed the amount which under Regulation XVI.

Appeals referrible by the Court of Sudder Dewanny Adawlut to the Provincial Court of Calcutta for decision.

1797,

1797, renders a cause appealable to the King in Council; viz. 43,103 Rs. the Court of Sudder Dewanny Adawlut is authorized in such cases to direct the Calcutta Provincial Court of Appeal to try and decide the same; subject to the provisions contained in the Third Clause of this Section, and the decision of the Provincial Court shall be final, unless a special appeal be admissible to the Sudder Dewanny Adawlut, under the rules in force for second, or special appeals.

Rules for preferring appeals in Civil Suits, determined after the promulgation of the present Regulation.

Fifth. In all Civil Suits determined after the promulgation of this Regulation, the general rules in force for appeals to the Provincial Courts and Court of Sudder Dewanny Adawlut will, of course, be applicable, as well as those which authorize an appeal to the Zillah or City Court, if the original decision have been passed by a Register, Sudder Ameen, or Moonsiff.

The Civil Courts prohibited from entertaining any claims or suits which may have been formerly decided by competent authority.

V. The Civil Courts of Judicature are prohibited from entertaining any claim or suit which from the production of a former decree, or from the Records of Court, shall appear to have been finally heard and determined by any former Judge, or Superintendent of any Court of competent Jurisdiction. If any doubt should arise respecting the competency of the former Jurisdiction, the case shall be reported for the instructions of the Governor General in Council, whose determination upon this point shall be conclusive.

Deeds regularly executed to be received in evidence by the Civil Courts.

VI. All Deeds of whatever denomination, whether written on Stamp Paper or otherwise, that may have been regularly

regularly and legally executed, according to the Dutch Law or established local usage previously to the promulgation of this Regulation, are hereby declared to be valid, and the several Courts of Civil Judicature are empowered and directed to admit such deeds in evidence; and in any Judicial Proceedings that may be held on such documents, the Courts are to be governed by the Law and usage, under which the same were prepared and executed.

The decision of Civil Suits regarding Succession, Inheritance, Marriage, and special Contract to be governed by the Laws and usages of the Parties.

VII. In the decision of all Civil Suits regarding Succession, Inheritance, Marriage and special Contract, in which the parties may be Europeans, heretofore subject to the Netherland Authorities, or their descendants, and as well as generally in all cases where the parties may be Europeans, or Foreigners of any description, or their descendants, the Courts shall be guided, as far as practicable, by the spirit of the Rule prescribed in Section XV. Regulation IV. 1793; which directs, that "in Suits regarding Succession, Inheritance, Marriage, and Cast, and all Religious usages and institutions, the Mahomedan Laws with respect to Mahomedans, and the Hindoo Laws with regard to Hindoos, are to be considered the general rules by which the Judges are to form their decisions."

Offences committed before the promulgation of the present Regulation how to be punished.

VIII. In all Criminal trials for Offences committed before the promulgation of this Regulation, whenever it may appear that the punishment of the Offence under the provisions of this Regulation would be more severe than the punishment prescribed for the same offence under the Laws in force, when the Settlement and Territories referred to in this

Regulation,

Regulation, came into the Possession of the British Government, the punishment to be adjudged against the Prisoner shall be regulated by the Law which was in use, when the said Territories came into the Possession of the British Government.

Appointment of a Dutch Law Officer or Fiscal and his duties.

IX. *First.* An Officer to be denominated "the Dutch "Law Officer or Fiscal," shall be appointed by the Governor General in Council on the Establishment of the Judge of Zillah Hooghly; and it shall be his duty to expound the Laws and usages of the Settlement of Chinsurah, and its late dependencies, in all cases that may be submitted to him, either by the Civil or Criminal Courts.

The Fiscal to furnish Translations of all Dutch papers.

Second. It shall be the further duty of the "Fiscal" to furnish translations of all papers filed in the Dutch language, and to interpret them truly to the respective Courts, as well as generally to perform such other duties as may be specially assigned to him by the local Judge or Magistrate.

Written opinion of the Fiscal to be put upon record.

Third. Provided always that the particular Law, Custom or Usage which may have influenced the final Judgment of the Court, shall be specifically stated or referred to in the Decree, Sentence, or Order affected thereby, and the Fiscal's written opinion shall remain attached to and be constantly kept with the record of the case.

The Fiscal to be also a Sudder Ameen, with Civil and Criminal powers.

Fourth. The Fiscal, or Dutch Law Officer, shall moreover, by virtue of his Office, be deemed a Sudder Ameen, with the full powers invested in Judicial Officers of that description

description by Regulations II. and III. 1821, within the Town and Settlement of Chinsurah; in this capacity he shall be employed in the trial and decision of any suits, or cases, Civil or Criminal, that may, under the general Regulations, be referred to him, as Sudder Ameen, by the Zillah Judge, or Magistrate, respectively; and shall be governed in the trial and decision of such cases by the Rules and Regulations which are or may be in force for the guidance of Sudder Ameens.

X. The provisions of Regulation II. 1820, as far as they relate to the Settlement of Chinsurah are hereby rescinded.

Parts of Regulation II. 1820, relative to Chinsurah rescinded.

A. D. 1825. REGULATION XIX.

A REGULATION *to prescribe the manner in which His Highness the Nazim of Bengal, shall Sue, or be Sued in the Courts of Civil Judicature:*—PASSED *by the Governor General in Council, on the* 29*th September* 1825, *corresponding with the* 15*th Assin* 1232 *Bengal era; the* 2*d Assin* 1233 *Fusly; the* 16*th Assin* 1233 *Willaity; the* 2*d Assin* 1882 *Sumbut, and the* 15*th Suffer* 1240 *Higeree.*

PREAMBLE.

WHEREAS the existing Regulations do not sufficiently provide for the manner in which His Highness the Nazim of Bengal shall claim or defend his rights in the Courts of Civil Judicature, the following Rules have been enacted, to be in force from the period of their promulgation.

The Agent to the Governor General at Moorshedabad may institute Suits in the Civil Courts, on the part of the Nazim of Bengal.

II. It shall be competent to the Agent to the Governor General at Moorshedabad, or other Officer, however denominated, exercising for the time being the controul and superintendance of the Affairs of the Nizamut on the part of the Governor General in Council, to institute Suits in the Courts of Civil Judicature on the part of His Highness the Nazim of Bengal, and to conduct them as Plaintiff or Appellant in such manner as may appear proper.

When Suits may be instituted against the Nazim, the notice is to be served on the Agent, who will defend them.

III. In like manner, should any Suit be instituted in any Court of Civil Judicature against His Highness the Nazim of Bengal, the ordinary notice shall be issued upon the Agent to the Governor General, or other Officer aforesaid, who shall conduct the defence on the part of His Highness.

The Nazim and the Agent to the Government exempted from furnishing Security and from process of attachment.

IV. Provided always, that security shall not be required from, nor shall attachment in any case issue against His Highness, or against the Agent to the Governor General, or other Officer aforesaid; but should the Court require the payment of any costs, damages, or other sums of money, or the delivery of any Lands, and after order duly made and served on the Agent, any unreasonable delay should arise, it shall be competent to the Court to transmit a Copy and Translation of the decree or order to the Secretary to Government in the Persian Department, when the Governor General in Council will issue such orders as may be necessary for the discharge of the amount due.

Order and Decrees of the Civil Courts in such Suits how to be executed.

A. D. 1825. REGULATION XX.

A REGULATION *for declaring the Jurisdiction of the Military Courts Martial and Courts of Requests, constituted by a recent Act of Parliament, and for modifying some parts of the existing Regulations in conformity thereto:*—PASSED *by the Governor General in Council on the 3d November* 1825, *corresponding with the* 19*th Cautick* 1232, *Bengal era; 8th Cautick* 1233, *Fussily; the* 20*th Cautick* 1233, *Willaity; the 7th Cautick* 1882, *Sumbut; and the* 21*st Rubee-ul-uwal* 1241, *Higeree.*

PREAMBLE.

BY an Act of Parliament passed in the 4th Year of the Reign of his present Majesty King George the Fourth, entitled "An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the service of the East India Company," Provision is made for the Trial by Courts Martial of European British Subjects, either actually serving as Officers or Soldiers or otherwise attached

to

to the Army, when accused of Murder, Rape, Robbery, Theft, and other Offences committed in a Foreign Territory, or at any place within the Territories subject to the Presidency of Fort William, situate at a greater distance from that Presidency than 120 miles, as well as for investing Military Courts of Requests, constituted according to the provision of the aforesaid Act, with the cognizance of actions of debt, and all personal actions, to an amount not exceeding 400 Rs. against any British Commissioned or Non-Commissioned Officer or Soldier or other persons amenable to the provisions of the Act at places situated beyond the Jurisdiction of the Court of Requests in Calcutta; It has, in consequence, become necessary to rescind or modify certain parts of the Regulations in force which relate to the Apprehension or Trial of British Subjects accused of Criminal Offences, and to the cognizance of Petty offences and actions of Debt by a Military tribunal; the following Rules have been accordingly enacted to be in force from the date of their Promulgation throughout the Territories subject to the Presidency of Fort William.

European British Subjects, being persons attached to the Army serving within certain limits, when apprehended by Magistrates on charges of a Criminal nature, to be delivered over to the Commanding Officer of the Corps to which they may belong.

II. *First.* In modification of the Rules contained in Regulation II. 1796. Section XIX. Regulation VI. 1803, and Regulation XV. 1806. It is hereby provided, that if any European British Subject who shall be apprehended by or brought before a Magistrate on a charge of Murder, Rape, Robbery, Theft, or other Criminal Offence, shall be found, on his apprehension, to have been, at the time when the Offence laid to his charge may have been committed, a Commissioned or Non-Commissioned Officer, or Soldier, serving with any body of Troops in the service of his Majesty, or of the Honorable East India Company, at any place, not within the Territories subject to the Presidency of Fort William, or

at

at any place within such Territories, which may be situated above 120 Miles from the aforesaid Presidency or to have been, when the Offence was committed, a person attached to such body of Troops in any of the Capacities specified in Sections XLV. and LX. of Statute IVth. Geo. IVth. Cap. LXXXI, it shall be the duty of the Magistrate, by whom such person so accused may be apprehended, instead of proceeding to hear Evidence to the charge as directed in such cases in the Regulations abovementioned, to deliver over such person so charged, together with a statement of the charge brought against him, to the Commanding Officer of the Regiment, Corps, or Detachment to which such accused person shall belong, or to the Commanding Officer of the nearest Military Station, for the purpose of his being brought to trial before a Court Martial under the Provisions of the said Act of Parliament.

Magistrates, on application made to them by a Commanding Officer, to assist in the apprehension of all persons amenable to trial by Court Martial, when accused of Criminal Offences.

Second. It shall further be the duty of every Magistrate, on a written application being made to him for that purpose by the Commanding Officer of any Regiment, Corps, or Detachment stationed or employed as specified in the preceding Clause, to use his utmost endeavour for the apprehension of any British Officer, Non-Commissioned Officer, Soldier or other person of the description therein alluded to, who may have been charged with the crime of Murder, Rape, Robbery, Theft, or other Criminal Offence, and also to give his assistance and that of the Officers under his control in securing the person so accused.

Magistrates required to enforce Processes for attendance of Witnesses, &c. before Courts Martial, on application made to them.

Third. It is hereby declared that it shall be competent to the Judge Advocate General or Deputy Judge Advocate, or other person appointed to conduct the proceedings of any Court Martial assembled for the trial of Offences under the

Pro-

Provisions of the said Act of Parliament to transmit to the Magistrate of the Zillah or City, within whose jurisdiction persons, whose attendance before such Court Martial is required, may reside, any Warrant, Summons or other Process, for the attendance of such person, and it shall be the duty of such Magistrate, who may be so applied to, to give his assistance and that of the Officers under him in the due execution of such Process, and generally to aid and assist in the execution of all Processes issued by such Courts Martial.

Magistrates prohibited from enquiring into charges of a Criminal nature preferred against British subjects when attached to the Army within certain limits and who may have been already tried by a Court Martial for the same.

Fourth. The several Zillah and City Magistrates are hereby prohibited from receiving and enquiring into any Criminal Charge of the nature described in Section II. of Statute IVth. Geo. IVth. Cap. LXXXI, which may be preferred to them against any British Commissioned or Non-Commissioned Officer, Soldier, or other person attached to the Army who may have been regularly brought to trial under the provisions of the said Act and acquitted or convicted by the Sentence of a Court Martial of such Offence; Provided, however, that in any case wherein it may be ascertained by the Magistrate, on due enquiry, that any person accused of such Criminal Offence, who may be subject to trial by Court Martial, has not been brought to trial for such Offence before a Court Martial, and that no effectual proceedings have been taken, or have been ordered to be taken, against him, then and in that case it shall be the duty of the Magistrate to report the circumstance for the information and orders of the Governor General in Council; who, if it appear to him proper so to do, will direct the Case to be proceeded upon in the ordinary course of law; and the Magistrate, if so authorized, shall be competent to proceed against the Offender under the provisions of the Regulations hitherto in force.

Proviso for Cases in which the Magistrate shall have duly ascertained that the Accused neither has been nor will be tried by a Court Martial.

Fifth.

Fifth. Provided always, and it is hereby declared that nothing contained in the foregoing Clauses shall be held to restrict the Magistrates of Districts, either in their ordinary capacity of Magistrates, or as His Majesty's Justices of the Peace duly qualified, from proceeding under the Rules heretofore in force against all British Subjects charged with Criminal Offences, who may not be attached to the Army, or subject to be tried for such Offences by a Court Martial.

Magistrates will proceed as heretofore against British Subjects accused of Criminal Offences when such persons are not attached to the Army or amenable to trial by Court Martial.

Sixth. It is hereby further declared, that the Provisions of this Regulation as far as the same relate to Criminal Offences committed by any Commissioned or Non-Commissioned Officer, Soldier or other person attached to the Army, being British Subjects, shall not be held to apply, or be in force when such Offences shall be committed by persons of the above description attached to any body of Troops which may be stationed in the Garrison of Fort William or at Barrackpore, Midnapore, Dum-Dum or at any other place within the Territories under the Presidency of Fort William, which may not be situated at a greater distance than 120 miles from the said Presidency; and in all such places, the powers and authorities vested by Law in the Magistrates and Justices of the Peace shall continue to be and remain in full force and effect.

These Provisions not to apply to Troops in Fort William or stationed at any other place which is not situated above 120 miles from the Presidency.

III ~ ~~IV~~. *First.* Such parts of Regulation XX. 1810, or of any other Regulation in force, as provide for the cognizance by a Military Tribunal of actions of Debt, and all personal actions not exceeding in value or amount the sum of 200 Rupees, are hereby declared not to be applicable to cases of debt, or other personal actions in which the party sued may be a British Subject attached to

Provisions of Regulation XX. 1810, or other Regulations in force declared not applicable to debts due from British Subjects attached to the Army.

Such debts and actions provided for by Sect. LVII. of Stat. IV. George IV. Cap. LXXXI.

to the Army within the descriptions of persons specified in Section LVII of Statute IVth. Geo. IVth. Cap. LXXXI, by which amongst other things it is enacted, that in all places where the said Company's Forces now are or may be employed, or where any body of His Majesty's Forces may be serving with the Forces of the said Company, situate beyond the jurisdiction of the Court of Requests at the City of Calcutta, actions of Debt, and all personal actions against such Officers, Non-Commissioned Officers, or Soldiers, all persons licensed to act as Sutlers to any Corps or Detachment, or at any Station or Cantonment, or other persons amenable to the provisions of this Act, or resident within the limits of a Military Cantonment, shall be cognizable before a Court of Requests composed of Military Officers, and not elsewhere, provided the value in question shall not exceed 400 Sicca Rupees, and that the Defendant was a person of the above description when the cause of action arose.

Certain powers heretofore vested in the Magistrates in the cognizance of debts due by British Subjects declared to be no longer in force.

Second. The power given to the Magistrates of Districts, by Section CVI. of Statute LIII. Geo. IIId. Cap. CLV. to take cognizance of Debts not exceeding 50 Rs. alleged to be due from British Subjects to Natives of India, and to pass a summary decision on the same, in so far as regards claims on Officers or Soldiers being European British Subjects, is also repealed by the Section LVII. of Statute IVth. Geo. IVth. Cap. LXXXI.

British subjects attached to the army declared still amenable to Local Courts for debts exceeding 400 Rs.

Third. Officers and Soldiers being European British Subjects will still be subject to the jurisdiction of the Local Courts of Civil Justice, under the provisions of Section CVII. of Statute LIII. Geo. IIId. Cap. CLV. except in actions of Debt and personal actions not exceeding 400 Rupees in value or amount,

Fourth.

Fourth. The Provisions of Section XXII, Regulation XX. 1810, will still remain in force so far as they relate to actions of Debt and personal actions against Officers, Soldiers and Retainers of the description therein specified or referred to, not being European British Subjects within the provisions referred to in the First Clause of this Section.

To what extent the provisions of Section XXII. Regulation XX. 1810, will still remain in force.

IV. Whenever a Witness in attendance before a General Court Martial or other Military Court duly authorized to administer an oath, shall refuse to be sworn, and the Court shall be of opinion that the testimony of such Witness is essential, and that there is no sufficient reason to exempt him from taking the Oath, the Judge Advocate General or other Officer conducting the proceedings of the Court, shall be authorized to forward such Witness with a written Statement to the Zillah or City Magistrate or Joint Magistrate within whose Jurisdiction the Court may be held, and the Magistrate or Joint Magistrate is hereby directed to make such enquiries into the case as may satisfy him, that the Witness ought or ought not to be exempted from taking an Oath under the Provisions of Regulation L. 1803. If the Magistrate or Joint Magistrate shall be of opinion that no sufficient grounds exist for exempting the Witness from taking the prescribed Oath, he shall proceed in the same manner as if the refusal to give evidence on oath had taken place in his own Court.—On the other hand, if he shall be of opinion that the Witness ought not to be compelled to take the Oath, he shall certify the same to the Judge Advocate General or other Officer above referred to, and shall not impose any penalty on such Witness.

Course to be followed in case of a Witness refusing to be Sworn before a Military Court.

Enquiries to be made by the Magistrates and Joint Magistrates.

A. D. 1825. REGULATION XXI.

A REGULATION *for annexing to the Jurisdiction of the Commissioner of Kumaoon the tract of Country called the Deyra Doon, and also the Pergunnah of Chandnee, heretofore forming part of the Districts of Seharunpore and Moradabad.*—PASSED *by the Governor General in Council on the* 8*th December* 1825, *corresponding with the* 24*th Aughun* 1232, *Bengal era; the* 13*th Aughun* 1233, *Fussily; the* 25*th Aughun* 1233, *Willaity; the* 14*th Aughun* 1882, *Sumbut; and the* 27*th Rubbeeussanee* 1241, *Higeree.*

PREAMBLE.

BY the Provisions of Regulation IV. 1817, the tract of Country denominated the Deyra Doon was annexed to the District of Seharunpore, and the Laws and Regulations in force in that District were, with certain exceptions, extended to the Deyra Doon; local circumstances, however, have rendered it expedient to transfer the abovementioned tract of Country to the jurisdiction of the Commissioner in Kumaoon, and

and also to place under the same authority the whole of the Pergunnah of Chandnee, part of which is now attached to the District of Moradabad, and part to the District of Seharunpore. The Governor General in Council has, accordingly, been pleased to enact the following Rules to be in force from the date of their promulgation.

Part of Regulation IV. 1817, rescinded, and the Deyra Doon to be in future annexed to the jurisdiction of the Commissioner of Kumaoon.

II. Section II. Regulation IV. 1817, which declares that the tract of Country called the Deyra Doon shall be annexed to the District of Seharunpore, is hereby rescinded. The remaining Sections of that Regulation are to remain in force, but from and after the promulgation of this Regulation, the Deyra Doon shall be annexed to the jurisdiction of the Commissioner for the Province of Kumaoon.

Pergunnah Chandnee to be in future subject to the authority of the Commissioner of Kumaoon.

III. In like manner the Pergunnah of Chandnee, partly situated in the District of Moradabad, and partly in that of Seharunpore, is hereby separated from those Districts, and declared subject to the authority of the Commissioner of Kumaoon.

The provisions of Regulation X. 1817, declared applicable to the Deyra Doon and to Pergunnah Chandnee, and all other Regulations to cease to have effect in those tracts of Country.

IV. From and after the promulgation of this Regulation, the operation of all Regulations not expressly extended to the Province herein mentioned, shall cease to have effect in the Deyra Doon, and in the Pergunnah of Chandnee; and the System of internal administration now established in the Province of Kumaoon, under the provisions of Regulation X. 1817, shall be considered applicable to those tracts of Country; subject to such modifications as local circumstances, or other considerations may, hereafter, render necessary or expedient.

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OF THE

REGULATIONS

PASSED IN THE YEAR 1826.

REGULATION I.

A REGULATION *for augmenting the number of Judges of the Provincial Courts of Appeal and Circuit, as may, from time to time, appear necessary:—Passed by the Governor General in Council on the 2d of March* 1826.

REGULATION II.

A REGULATION *to extend, with certain exceptions and conditions, the existing settlement in the Provinces ceded by the Nuwab Vizier to the British Government, for a further period of Five years:—Passed by the Governor General in Council on the 26th April* 1826.

REGULATION III.

A REGULATION *for extending to Dewannee Prisoners some of the provisions in Regulation XIV.* 1816, *and for modifying the rule contained in Section III. Regulation IV.* 1816 *:—Passed by the Governor General in Council on the* 11*th May* 1826.

REGULATION IV.

REGULATION IV.

A REGULATION *for expediting the Proceedings of the Mofussil and Sudder Special Commissions, acting under the Provisions of Regulation I.* 1821 *:—Passed by the Governor General in Council on the 22d June* 1826.

REGULATION V.

A REGULATION *for annexing to the Zillah of Agrah, the Pergunnah of Goberdhun:—Passed by the Governor General in Council on the 22d June* 1826.

REGULATION VI.

A REGULATION *for constituting the Jurisdiction of the Joint Magistrate, stationed at Futtehpore, a distinct Zillah:—Passed by the Governor General in Council on the 13th July* 1826.

REGULATION VII.

A REGULATION *for transferring the Control of the Benares Mint, from the Board of Revenue in the Central Provinces, to a Local Committee:—Passed by the Governor General in Council on the 13th July* 1826.

REGULATION VIII.

A REGULATION *for modifying certain parts of Regulation VII.* 1824, *relative to Contraband Opium:—Passed by the Governor General in Council on the 13th July* 1826.

REGULATION IX.

REGULATION IX.

A REGULATION *for transferring the Superintendence of the Custom House at Patna, from the Board of Revenue in the Central Provinces, to the Board of Customs at the Presidency; and for vesting the latter Board with the control of the other Customs in the Central and Western Provinces, and in the Province of Cuttack, concurrently with the Central and Western Boards of Revenue and the Commissioner of Cuttack respectively:—Passed by the Governor General in Council on the* 13*th July* 1826.

REGULATION X.

A REGULATION *for removing doubts as to the application of Section L. Regulation X.* 1819 *to the district of Goruckpore: for prohibiting the Manufacture, within any of the districts of Bengal, Behar, and Orissa, of Noon-chye, or any description of Saline substance, used as a condiment with food, excepting on account of, or with the permission of Government: and for providing for the retail sale of Salt by Government Officers in certain cases:—Passed by the Governor General in Council on the* 13*th July* 1826.

REGULATION XI.

A REGULATION *for providing a succession of duly qualified Hindoo and Mahomedan Law Officers, in the several Courts of Justice; and for enacting an additional Rule for the Appointment of Vakeels in the Zillah and City Courts:—Passed by the Vice President in Council on the* 4*th August* 1826.

REGULATION XII.

A REGULATION *for raising and levying Stamp Duties within the Town of Calcutta:—Passed by the Vice President in Council on the* 14*th December* 1826.

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REGULATIONS

OF

1826.

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1810 IX.	———	———	Partly Modified	IX.	II.	
X.	———	———				
1812 II.	XV.	———	Rescinded	VII.	II.	
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1824 VII.	XX.	———	Modified	VIII.	II.	
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On failure, responsible for payment of Revenue for each of the five years, ...	———	———	———
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Power vested in Collectors to exclude from the operation of the foregoing rules, any Mehals of which a revised settlement may have been made, or be about to be made under Regulation VII. 1822.			

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Persons who may not have previously obtained a Certificate of qualification, how to be examined, ...	——	——	*Third.*
The Committee to report the result of their Examinations and grant Certificates to Candidates who may be duly qualified, ...	——	——	*Fourth.*
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A single member competent to hold a sitting of the Sudder Special Commission, ...	——	IV.	
STAMPS.			
Stamp Duties to be levied and paid by the City of Calcutta, ...	XII.	II.	
The Collection of the Duty to be under the control of the Board of Revenue or other Commission appointed by Government, ...	——	III.	
Stamp Office to be established under charge of Superintendent of Stamps—Duties of Superintendent,	——	IV.	
Stamps how to be impressed and where, ...	——	V.	*First.*
Board of Revenue to cause proper Stamps to be provided,	——	——	*Second.*
Board of Revenue to alter the dies from time to time,	——	——	*Third.*
Collectors of Stamp Duties in Calcutta how to be appointed.			
Collector to be subject to the orders of the Board of Revenue, ...	——	VI.	*First.*
Collector's Office, where to be held, ...	——	——	*Second.*
Venders and Distributors of Stamps how to be appointed, ...	——	——	*Third.*
Venders to be furnished with Licenses, ...	——	——	*Fourth.*
No Person shall publicly sell Stamps without License or special authority from the Board of Revenue. Penalty for Breach of this rule. But Persons purchasing Stamp Paper, may transfer the same. Under what conditions. Penalty for purchase or sale of Stamp Paper at a value less than the amount of the duty impressed on the same, ...	——	——	*Fifth.*

Individuals

	Regulation.	Section.	Clause.
Individuals how to get a supply of Stamp Paper from the Stamp Office, ...	——	VII.	*First.*
The Superintendent not to Stamp any Paper or the like on account of any Individual without first requiring the receipt of Collector for the amount, ...	——	——	*Second.*
Forms to be observed on the issue of Stamps under the above Clauses, ...	——	——	*Third.*
In what case a discount may be allowed by Collector. At what rate. How to be brought to account, ...	——	——	*Fourth.*
Licensed Venders may purchase Stamps, under what conditions, ...	——	——	*Fifth.*
Penalty on Superintendent for Stamping Paper or the like on account of Individuals without Certificate from Collector. Or other sufficient authority. Penalty on Collector for granting Certificate before duty is paid, ...	——	VIII.	*First.*
Penalty on Native Officer or other person causing or procuring Stamps to be impressed, or Certificate granted irregularly, ...	——	——	*Second.*
Rules for Venders and Distributors, ...	——	IX.	*First.*
Venders and Distributors to give security for the due discharge of their duty, ...	——	——	*Second.*
Rules to be observed by them. Board may require further engagements, ...	——	——	*Third.*
Licenses and Schedule Stamp Duties to be stuck up in Venders' Shops, ...	——	——	*Fourth.*
Accounts to be kept by Venders and produced to Collector when required. Money received by Venders to be regularly accounted for. Accounts and Stamps to be produced for inspection when required, ...	——	——	*Fifth.*
Penalty for breach of the above rules, ...	——	——	*Sixth.*
Venders to realize duty before delivering Stamp, ...	——	——	*Seventh*
Penalty for delivery of Stamps without receipt of full duty. Penalty for receiver in such case, ...	——	——	*Eighth.*
Venders to endorse the date of sale and delivery of Stamps sold by them, ...	——	——	*Ninth.*
Penalty for neglect, ...	——	——	*Tenth.*
Penalty for falsification of date, ...	——	——	*Eleventh.*
Penalty for refusal or wilful delay to deliver Stamps,...	——	——	*Twelfth*

Penalty

	Regulation.	Section.	Clause.
Penalty for exaction of price or consideration in excess of the duty, ...	——	——	*Thirteenth*
Collectors may require collateral security from Venders,	——	——	*Fourteenth*
On removal or resignation of Venders, ...			
Money, Paper, and Writings to be delivered to the Collector, ...	——	——	*Fifteenth.*
Course to be followed on the death of Vender, ...	——	——	*Sixteenth.*
Cases in which Sureties may be called on, ...	——	——	*Seventeenth*
Venders to verify their accounts by oath or affirmation,	——	——	*Eighteenth*
Stamps accidentally destroyed, how to be replaced, ...	——	X.	*First.*
Also soiled or spoiled Stamps, ...	——	——	*Second.*
Restriction of above provision to cases in which the Stamps destroyed or spoiled shall amount to or exceed ten rupees.			
Limitation as to the time within which application is to be made, ...	——	——	*Third.*
Penalty for employing paper, &c. not bearing prescribed Stamp, ...	——	XI.	*First.*
Holders of Instruments written on unstamped Paper, on what condition to get them Stamped.			
If within thirty days.			
If after thirty days, ...	——	——	*Second.*
Penalty in case of the employment of Paper, &c. Stamped with too low a Stamp, ...	——	——	*Third.*
Provision for case of accident or inadvertence, ...	——	——	*Fourth.*
Provision for the case of Instruments being written on Paper, &c. with a forged Stamp, ...	——	——	*Fifth.*
Penalty for filing or recording Instruments not bearing the prescribed Stamps, ...	——	XII.	*First.*
Penalty for filing Papers, &c. not duly endorsed by a Vender or distributor of Stamps, ...	——	——	*Second.*
Penalty for filing an Instrument or the like bearing a forged Stamp.			
If without due endorsement.			
If duly endorsed, ...	——	——	*Third.*
Persons discovering forged Stamps in their possession, how to proceed, ...	——	XIII.	
No exception on account of over-value, ...	——	XIV.	
Board of Revenue, Superintendent of Stamps, and Collector authorized to administer oaths, ...	——	XV.	

ZILLAHS.

The Pergunnah of Goberdhun annexed to Agra and			

the

	Regulation.	Section.	Clause.
the existing laws and regulations extended to that Pergunnah, subject to the following Provisions, ...	V.	II.	
Civil Courts prohibited from taking cognizance of suits if the cause of action shall have arisen previously to the 25th of January, 1814, ...	——	III.	
Criminal Courts prohibited from taking cognizance of offences committed previous to the 25th of January, 1826.	——	IV.	
Stamp Regulations not to be enforced during a period of one year, ...	——	V.	
Power reserved to the Governor General in Council of fixing the periods for the formation of the settlement of the Land Revenue, ...	——	VI.	
What Police Thannas of Allahabad and Cawnpore to constitute a distinct Civil and Criminal Jurisdiction to be denominated the Zillah of Futtehpore, ...	VI.	II.	*First.*
Proviso, ...	——	——	*Second.*
Futtehpore Zillah to be subject to the Provincial Court of Benares, ...	——	III.	

A. D. 1826. REGULATION I.

A REGULATION *for augmenting the Number of Judges of the Provincial Courts of Appeal and Circuit as may, from time to time, appear necessary:*—**PASSED** *by the Governor General in Council on the 2d of March* **1826,** *corresponding with the 20th Phagoon* **1232** *Bengal Era; the 8th Phagoon* **1233** *Fusly; the 21st Phagoon* **1233** *Willaity; the 9th Phagoon* **1882** *Sumbut, and the 22d Rujub* **1241** *Higeree.*

PREAMBLE.

WHEREAS it is enacted by Clause 2d, Section II, Regulation V. of 1814, that the Provincial Courts for the Divisions of Calcutta, Dacca, Moorshedabad, Patna, Benares, and Bareilly, shall consist each of Four Judges, and whereas the heavy arrears of Civil business in some of those Courts render it expedient, that the number of Judges should be occasionally encreased, according as may, from time to time, appear necessary for the dispatch of business, as well in the Provincial Courts of Appeal, as in the Courts of Circuit; the following

following Rules have been enacted, to be in force from the date of this Regulation.

Parts of Clause Second, Section II, Regulation V. 1814, rescinded.

II. *First.* So much of Clause 2, Section II, Regulation V. of 1814, as limits the number of Judges of the Provincial Courts to Four, is hereby rescinded.

The number of Judges in each of the Provincial Courts of Appeal and Circuit to be augmented when deemed necessary.

Second. It shall be competent to the Governor General in Council, to appoint as many Judges in each of the Provincial Courts of Appeal, and Courts of Circuit, as may be deemed necessary for the due dispatch of the business of those Courts.

A. D: 1826. REGULATION II.

A REGULATION *to extend, with certain exceptions and conditions, the existing settlement in the Provinces ceded by the Nuwab Vizier to the British Government, for a further period of Five Years:—Passed by the Governor General in Council on the* 26*th April,* 1826, *corresponding with the* 15*th Bysack* 1238 *Bengal era; the* 4*th Bysack* 1233 *Fuslee; the* 16*th Bysack* 1233 *Willaity; the* 5*th Bysack* 1883 *Sumbut; and the* 18*th Rumzan* 1241 *Higeree.*

PREAMBLE.

WHEREAS, the existing settlement in the Provinces ceded by the Nuwab Vizier to the British Government, with the exception of certain districts and Mehals, will expire with the ensuing Fuslee Year 1234: And, Whereas, with certain exceptions, it appears to be expedient to extend the said settlement for a further term, in cases in which the

the settlement has been formed with Zemindars or other persons recorded as proprietors or possessors of a permanent interest in the Mehal, for which they have engaged, or as the representatives of such persons: And, Whereas, it appears also to be desirable to provide for the continuance of the engagements of Zemindars and other persons as aforesaid, subsequently to the expiration of the period, specifically fixed for the same, until a careful revision of the settlement can be completed: And, Whereas, it is desirable to make further provision for securing the improvement of the country; the following rules have been enacted, to be in force throughout the British Territories immediately subject to the Government of the Presidency of Fort William, from the date of their promulgation.

The existing settlement in the Ceded Provinces extended to a further period of Five Years.

II. *First.* The existing settlement in the Ceded Provinces, (with the exceptions, and subject to the provisions hereinafter stated) shall be extended to a further period of Five Years, viz. for the Years 1235 to 1239 Fuslee, inclusive, in cases in which it may have been concluded with Zemindars, Lumberdars, or other persons recorded as the proprietors or possessors of a permanent interest in the Mehal for which they may have engaged, or as the representatives of such persons.

Zemindars, if unwilling to continue their engagements for a further period of Five Years, to notify the same to the Collector within a certain period.

Second. If any Zemindars and other persons aforesaid, shall be unwilling to continue their engagements for a further period of Five Years, on the terms specified in this Regulation, they shall notify the same to the Collector, or other officer exercising the powers of the Collector, to whom they

they may be subject, on or before the 31st July next, corresponding with the 12th Sawun 1233, of the Fuslee era. And all Zemindars and other persons aforesaid, who shall not make a Notification to the effect, and within the period abovementioned, shall be held and are hereby declared to be responsible for the payment of the same Revenue for each of the Five Years subsequent to the settlement now in force, viz. for the Years 1235 to 1239 inclusive, as may be specified in their engagements for the Year 1234, Fuslee. And in such cases no alteration shall be made in the Jumma demandable by Government on account of the Mehals held by such persons (excepting as hereinafter excepted) until the expiration of the said period of Five Years.

On failure, to be responsible for the payment of Revenue for each of the Five Years.

Third. The above rules shall not apply to the districts of Goruckpore and Azimghur, for which special provision was made by Clause 4, Section 2, Regulation VII. 1822, nor shall they be held in any district to affect the terms of any engagements which may have been specifically entered into on account of any year or years subsequent to the general settlement now in force.

The foregoing rules not applicable to the districts of Goruckpore and Azimghur, nor to any engagements specifically entered into on account of any year or years subsequent to the settlement now in force.

Fourth. It shall be competent to Collectors and other officers exercising the powers of Collectors, subject to the orders of the Board of Revenue, to which they may be subordinate, to exclude from the operation of the preceding rules, any Mehal or Mehals, of which a revised settlement may have been made, or be about to be made, under the rules of Regulation VII. 1822, or in regard to which there may, in the judgment of these authorities, exist any special reasons for

Power vested in Collectors to exclude from the operation of the foregoing rules, any Mehals of which a revised settlement may have been made, or be about to be made under Regulation VII. 1822.

for effecting an early re-settlement of the same; and in the case of Mehals of the last description, it shall be competent to the Collectors, or other officers aforesaid, to make an immediate re-settlement of the same on the expiration of the existing leases; or to grant to the persons under engagements renewed leases for such further term (not exceeding Five Years) as the Board may direct. Provided, however, that in all cases, in which it may be determined to adopt special measures as above, in regard to any Mehal or Mehals, the Collector, or other officer aforesaid, shall give notice of such determination in writing to the person under engagements for the same on or before the 1st March, 1827. A Perwannah delivered to, or left at the usual residence of the Malgoozar, or a notification stuck up, under orders of the Collector, in any conspicuous place within the Mehal, shall be held to be sufficient notice for the above purpose.

Notice to be given by Collectors on such occasions to the Malgoozars.

III. Zemindars and other persons, as aforesaid, whose engagements shall be continued for a further period of Five Years, as above provided, as well as all other persons who may hereafter enter into engagements as proprietors, or as the representatives of proprietors, shall, after the expiration of the leases so extended or granted, hold the Mehals for which they may have engaged, or may hereafter engage; and shall continue to be subject to the payment of the same annual Jumma, as may be chargeable on account of the last year of their lease, until the Collector, or other officer exercising the powers of Collector, shall effect a detailed revision of the settlement in the mode prescribed by Regulation VII. 1822, or shall be otherwise specially authorized by Government

Zemindars and other persons who may be continued in their engagements for a further period of Five Years, shall be subject, after the expiration of the lease, to the payment of the same annual Jumma as may be chargeable on account of the last year of their lease.

ment to make a fresh assessment. Provided also, that no Zemindar or other Malgoozar, as aforesaid, shall be liable to pay, on account of any year, a higher Jumma than that payable under the above rule, unless he shall have been apprized of the Board's approval of the new assessment on or before the month of Jeth preceding. Nor shall any such Zemindar, or other Malgoozar, be ousted from the management of any Mehal for which he may be under engagements, without such notice, except by due course of law, on a decision in favor of the title of another party claiming the property of the same.

Proviso.

IV. With respect to estates which are, at present, let to farm, a settlement thereof shall be made on the expiration of the existing leases, for such a period as the Governor General in Council may direct: A preference shall be given to the Zemindars, or other persons possessing a permanent property in the Mehals, if willing to engage for the payment of the public Revenue, on reasonable terms. Provided also, that in cases wherein such Mehals may be let in farm, the term of the lease granted to the farmers shall not, excepting as hereinafter excepted, exceed Twelve Years. The above rules shall likewise be applicable to estates now held Khas; so in any case wherein the Zemindars and other proprietors may refuse to continue their existing engagements on equitable terms, it shall be competent to the Revenue Authorities to let the lands in farm, for such period, (with the restriction herein specified) as the Governor General in Council shall appoint, or to assume the direct management of them, and to retain them under Khas management, during the

What rules to be observed in the settlement of estates now let to farm, on the expiration of the existing leases.

Rules when Mehals may be let in farm.

The above rules to be applicable to estates now held Khas.

Zemindars liable to be excluded for wilfully reducing the cultivation of their lands.

the period aforesaid, or such shorter period as may be judged proper. Provided also, that in cases wherein it shall appear, that the Zemindars have wilfully reduced the cultivation of their lands, or otherwise deteriorated the Mehal, under their management, or in their occupancy, it shall be competent to the Revenue Authorities to exclude persons so offending, and to let the lands in farm, for a period of Fifteen Years: Leases for a like period may also be granted to Zemindars and farmers, in cases where, from special local circumstances, the measure may appear necessary, with a view to the reclaiming of waste, the constructions of works requisite for the extension of cultivation, or otherwise, for the improvement of the country.

A. D. 1826. REGULATION III.

A REGULATION *for extending to Dewannee Prisoners some of the provisions in Regulation XIV.* 1816, *and for modifying the rule contained in Section* 3, *Regulation IV.* 1816, *passed by the Governor General in Council on the* 11*th May*, 1826, *corresponding with the* 30*th Bysack* 1233 *Bengal era; the* 19*th Bysack* 1233 *Fusly; the* 31*st Bysack* 1233 *Willaity; the* 4*th Bysack* 1883 *Sumbut, and the* 3*d Rumzan* 1241 *Higeree.*

PREAMBLE.

WHEREAS the rules contained in Regulation XIV. 1816, apply only to the Criminal Jails, and Whereas it is expedient to extend them in part to prisoners confined in the Civil Jails under process of the Civil Courts, and Whereas the occasional separation of the Offices of Judge and Magistrate, makes it necessary to modify the rule contained in Section 3, Regulation IV. 1816, the following rules are there-

fore

fore enacted to be in force, from the time of their promulgation, in all the Provinces immediately subject to the Presidency of Fort William.

Section 3. Regulation IV. 1816, modified.

II. In modification of Section 3, Regulation IV. 1816, the control of the Civil Jail of each Zillah and City Jurisdiction is hereby vested in the Magistrate of such District or City, and the Magistrate shall henceforth perform the duties described in the Section above cited.

Magistrate vested with power of Summary inquiry and punishment.

III. The Magistrate is hereby vested with authority to punish, on a Summary inquiry, the offences specified in the following Section of this Regulation.

Detail of Offences.

IV. *First.* Refractory behaviour by any Prisoner confined under process of the Civil Court, such as resistance to the jailor, guards, or other public officers in the regular discharge of their public functions; abusive language to any such officers, and generally any culpable behaviour towards them, which may not involve a serious act of criminality, such as cannot be duly punished by the Magistrate and should therefore be brought before the Court of Circuit.

Second. Any other instance of disorderly conduct by a prisoner, such as riot, insurrection, attempt to escape, conspiring with other prisoners with a view to escape, or for the purpose of insurrection, or for any other unlawful or prohibited purpose, abusing or assaulting another prisoner, and generally, any misconduct committed by a prisoner whilst in custody, which, under the Regulations in force, or from its

aggravated

aggravated nature, may not exceed the competency of the Magistrate, and therefore be more properly cognizable by the Court of Circuit.

V. *First.* The powers vested in the Magistrate for the punishment of the offences specified in the preceding Section, which on a Summary inquiry may appear to have been committed by any of the prisoners confined under Civil process, are declared to be as follows; due regard being had to the nature of the offence, the condition of the prisoner, and every other just consideration applicable to the case. Extent and mode of punishment.

Second. The offences specified in the preceding Section shall be punishable by close confinement, or by a reduction of the prisoner's allowance, for any term not exceeding two months; the allowance to be in no case reduced below what may be consistent with the prisoner's support, and the difference between the prisoner's full allowance and the reduced rate to be carried to the credit of Government as a fine.

Third. The rule for conducting such Summary inquiries, and recording such sentences, and for their inspection by the Judge of Circuit, shall be the same with that prescribed with regard to Prisoners confined in the Criminal Jails, by Section 8, Regulation XIV. 1816. Record of inquiry and sentence and rule for the inspection thereof.

VI. Provided however, that nothing in this Regulation shall be construed to give the Magistrate any jurisdiction whatever over the question of a Civil Prisoner's liability to confinement, Proviso.

confinement, or title to release, with reference to the Civil process under which he may have been sent to Jail, or to preclude the Judge of the Civil Court, or his ministerial Officers, European or Native, authorized and deputed by him, from visiting the Civil Jail, or the Judge from summoning any Civil Prisoner to his Court, upon matters connected with the Civil process under which he is confined, or for other judicial purpose.

ERRATUM, in the Eighth line of Clause Second, Section IV, Regulation III, 1826.

Insert the word "not," between the word "may" and the word "exceed."

A. D. 1826. REGULATION IV.

A REGULATION *for expediting the Proceedings of the Mofussil and Sudder Special Commissions, acting under the Provisions of Regulation I.* 1821:—*Passed by the Governor General in Council on the* 22*d June,* 1826, *corresponding with the* 9*th Assar* 1233 *Bengal era; the* 3*d Assar* 1233 *Fusly; the* 10*th Assar* 1233 *Willaity; the* 3*d Assar* 1883 *Sumbut; and the* 15*th Zekaada* 1241 *Higeree.*

PREAMBLE.

WHEREAS it is expedient, with a view to the speedy accomplishment of the objects contemplated by the enactment of Regulation I. 1821, and Regulation I. 1823, that the Members of the Mofussil and Sudder Special Commissions, appointed under the Provisions of the first-mentioned Regulation, should be empowered to sit separately, and, under certain restrictions, singly, to try and decide the cases cognizable by the said Commissions: and further, that the Members of the

Mofussil

Mofussil Commission, should be authorized to refer cases of certain descriptions to arbitration: the following Rules have been enacted by the Governor General in Council, to be in force from the date of their promulgation.

A single Member competent to hold a sitting of the Mofussil Special Commission.

II. *First.* A single Member of the Mofussil Special Commission is hereby declared competent to hold a sitting of the said Commission, and to exercise all the Powers vested by the existing Regulations in the Commission collectively; subject only to such Restrictions as may be prescribed by Government, or by the Sudder Special Commission, with the sanction of Government.

Orders passed by a single Member of the Mofussil Commission to have the same force as orders passed by the Commission collectively.

Second. All orders and decisions passed by a single Member of the Mofussil Special Commission, under the foregoing Rule, shall have the same operation and effect as orders and decisions passed by the Commission, collectively; and shall be appealable only to the Sudder Special Commission.

The Mofussil Special Commissioners may refer certain descriptions of cases to arbitration.

III. In cases coming under the cognizance of the Mofussil Special Commission, in which the specific Interest of the several Putteedars or Parceners of an Estate or Mehal is disputed, and in which it may be difficult otherwise to adjust the differences of the claimants, the said Commission, or any Member of it, before whom such a case may be brought for trial, is hereby authorized, if the Parties shall consent, to refer the adjustment of the matters in dispute to the arbitration of three or more neighbouring Zumeendars, or other respectable

respectable persons: and to pass Judgment in conformity with their award.

A single Member competent to hold a sitting of the Sudder Special Commission.

IV. A single Member of the Sudder Special Commission is hereby declared competent to hold a sitting of that Commission, and to exercise all the powers vested therein by the existing Regulations; subject to the Provision, that no final order or Judgment reversing or altering an order or Judgment of the Mofussil Special Commission, or of a Member of it, shall be passed, except by the concurrent decision of two Members of the Sudder Special Commission.

A. D. 1826. REGULATION V.

A REGULATION *for annexing to the Zillah of Agra, the Pergunnah of Goberdhun:— Passed by the Governor General in Council, on the 22d June* 1826, *corresponding with the 9th Assar* 1233 *Bengal era; the 3d Assar* 1233 *Fusly; the 10th Assar* 1233 *Willaity; the 3d Assar* 1883 *Sumbut; and the 15th Ze-kaddu* 1241 *Higeree.*

PREAMBLE.

WHEREAS the Pergunnah of Goberdhun forming part of the Territories situated on the right bank of the Jumna, which were Ceded to the Honorable the East India Company, by the Treaty concluded with Doulut Rao Sindiah, on the 30th November, 1803, and which Pergunnah was subsequently granted free of Assessment to Koour Luchmun Singh, a younger Son of Rajah Runjeet Singh, of Bhurtpoor, has been resumed in consequence of the death of the said Koour Luchmun Singh; and whereas it has been judged advisable to annex the said Pergunnah to

the

the District of Agra, the following Rules have been enacted, to be in force from the period of their Promulgation.

The Pergunnah of Goberdhun annexed to Agra, and the existing Laws and Regulations extended to that Pergunnah subject to the following Provisions.

II. The Pergunnah of Goberdhun shall be annexed to the District of Agra, and the Laws and Regulations Established for the internal administration of that District are hereby declared to be in force and effect, in Pergunnah Goberdhun, from and after the Promulgation of this Regulation, subject, however, to the Provisions contained in the following Sections.

Civil Courts Prohibited from taking cognizance of Suits if the cause of action shall have arisen previously to the 25th January, 1814.

III. The Courts of Civil Judicature shall not be deemed competent to take cognizance of Civil Claims in Pergunnah Goberdhun, the cause of action in which may have originated previously to the 25th January, 1814, being a period of Twelve Years, antecedent to the date on which that Pergunnah was resumed.

Criminal Courts Prohibited from taking cognizance of Offences committed previously to the 25th January 1826.

IV. The Courts of Criminal Judicature are hereby prohibited from taking cognizance of any Crime or Offence committed in any part of the said Pergunnah, previously to the 25th January 1826, the date on which that Pergunnah was resumed.

Stamp Regulations not to be enforced during a period of one year.

V. The Stamp Regulations shall not be enforced within the Pergunnah of Goberdhun, during a period of one year, from the 25th January, 1826.

Power reserved to the Governor General in Council, of fixing the periods for the for-

VI. The Governor General in Council, reserves to himself the power of fixing the periods for which the Settlement

of

of the Land Revenue, shall from time to time be formed in the said Pergunnah, according as local circumstances may appear to require, adhering, however, as nearly as practicable, to the principles established for the Settlement generally of the Lands in the Territories ordinarily denominated the Ceded and Conquered Provinces.

mation of the settlement of the Land Revenue.

A. D. 1826. REGULATION VI.

A REGULATION *for constituting the jurisdiction of the Joint Magistrate, stationed at Futtehpore, a distinct Zillah:—Passed by the Governor General in Council on the* 13*th July,* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

WHEREAS it is deemed essential, with a view to the more efficient administration of Civil and Criminal Justice, as well as to ensure the more punctual realization of the Land Revenue, that the tract of Country, comprising portions of the Districts of Cawnpore and Allahabad, now under the authority of the Joint Magistrate stationed at Futtehpore, should be constituted a separate Zillah, with such modification of limits as may hereafter appear to be advisable, the following Rules have been enacted to be in force from the 1st of September next. PREAMBLE.

II. *First.*

What Police Thannahs of Allahabad and Cawnpore to constitute a distinct Civil and Criminal Jurisdiction to be denominated the Zillah of Futtehpore.

II. *First.* From and after the date specified in the preamble to this Regulation, the tract of Country forming portions of the Districts of Allahabad and Cawnpore, comprised in the following Police Thannah Divisions, viz. in the Thannahs of

Currah,
Hutgong,
Hussooah,
Futtehpore,
Ghazeepore,
and
Kishunpore,
} In the District of Allahabad,

And in the Thannahs of

Bindkee,
Khujooa,
Corah Juhanabad,
and
Amowly,
} In the District of Cawnpore,

shall constitute a distinct Civil and Criminal Jurisdiction, to be denominated the Zillah of Futtehpore.

Proviso.

Second. Provided however, that it shall be competent to the Governor General in Council, by an Order in Council, to make any alteration in the limits of the said Zillah, or of any of the Zillahs adjacent, which may at any time be deemed necessary or expedient.

Futtehpore Zillah to be subject to the Provincial Court of Benares.

III. The Zillah of Futtehpore shall be subject to the Jurisdiction of the Provincial Court of Appeal, and Court of Circuit, for the Division of Benares.

A. D. 1826. REGULATION VII.

A REGULATION *for transferring the Control of the Benares Mint, from the Board of Revenue in the Central Provinces, to a Local Committee:—Passed by the Governor General in Council on the* 13*th July,* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawin* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

PREAMBLE.

WHEREAS it will conduce to the public convenience, to vest the Superintendence of the Benares Mint in a Local Committee, according to the principle already acted upon in regard to the Calcutta Mint, the following rules have been enacted to be in force, from the date of their promulgation.

The Benares Mint to be subject to the authority of a Local Committee.

II. Sections XV and XVII, Regulation II. 1812, and so much of any other Regulation in force, as vests the Board of Revenue in the Central Provinces, with the Superintendence of the Benares Mint, are hereby rescinded: The

Mint

Mint and Assay Masters of the said Mint, and the subordinate Officers, shall be subject to the authority of a Local Committee, consisting of such Officers as the Governor General in Council may, from time to time, appoint, and the said Committee shall be guided by such rules as may be prescribed by Government.

A. D. 1826. REGULATION VIII.

A REGULATION *for modifying certain parts of Regulation VII.* 1824, *relative to contraband Opium:—Passed by the Governor General in Council on the* 13*th July,* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

PREAMBLE.

WHEREAS it appears to be advisable to modify certain parts of Regulation VII. 1824, relative to Contraband Opium; the following Rules have been enacted to be in force from the date of their promulgation.

Section XX, Regulation VII, 1824, modified.

II. In modification of Section XX, Regulation VII, 1824, it is hereby declared and ordered, that by "Marketable Opium," is to be understood, Opium having not more than one quarter of foreign matter in it; and that by "Inferior Opium" is to be understood Opium having not more than one half of foreign matter in it, and that all Opium adulterated with

with more than one half of foreign matter, shall be considered useless.

Section XXI, of the above Regulation, relative to Rewards payable to persons concerned in the Seizure of Opium, modified.

III. In modification of the Rules, contained in Section XXI, Regulation VII, 1824, relative to the Rewards payable to Persons concerned in the Seizure of Opium, it is hereby provided, that it shall be competent to the Governor General in Council, by an Order in Council, to discontinue the payment of the said Rewards to any Officers of Government whatever, and to modify the distribution of the Rewards receivable by such Officers in the same manner as is already provided by Clause First, of the said Section and Regulation, in regard to Covenanted Servants of the Company.

A. D. 1826. REGULATION IX.

Rec.d 8th Aug. 1826.

Zillah Midnapoor & Dacca

A REGULATION *for transferring the Superintendence of the Custom House at Patna, from the Board of Revenue in the Central Provinces, to the Board of Customs at the Presidency; and for vesting the latter Board with the Control of the other Customs in the Central and Western Provinces, and in the Province of Cuttack concurrently with the Central and Western Boards of Revenue and the Commissioner of Cuttack respectively:—Passed by the Governor General in Council on the* 13*th July,* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

PREAMBLE.

WHEREAS the Sudder Station of the Board of Revenue, for the Central Provinces, has been removed from Patna

Patna to Allahabad, and the Charge of the Custom House established at the former Station, has been vested in the Superintendent of the Salt Chokies in Behar, which Officer is subordinate to the Board of Customs, Salt and Opium, at the Presidency; and other circumstances appear to render it expedient to transfer to the last mentioned Board, the Superintendence of the said Custom House, with the same powers and authority in regard to the Customs and Town Duties, as are now possessed and exercised by the Central Board of Revenue: And whereas, with the view of establishing an uniform and efficient system of audit, it appears further to be expedient to modify the system according to which the operations of the several other Custom Houses in the Central and Western Provinces, and in Cuttack, touching the Collection of the Custom Duties, are now superintended and controlled, by vesting in the Board of Customs at the Presidency authority to superintend and regulate the management of the several Custom Houses aforesaid, in concurrence with the Boards and Commissioner to whom the Collectors in the said Provinces are now subject, the following Rules have been enacted, to be in force from the date of their promulgation.

Parts of Regulations IX. and X. 1810, Regulation III. 1822, and other Regulations modified.

II. So much of Regulations IX. and X. 1810, Regulation III. 1822, and of any other Regulation in force as vests the Boards of Revenue in the Central and Western Provinces, and the Commissioner of Cuttack, with the control over the Custom Houses in the said Provinces, is hereby declared subject to the following modifications.

III. The

III. The Board of Revenue in the Central Provinces shall, from the date of the promulgation of this Regulation, cease to exercise any authority over the Collector of Customs and Town Duties at Patna; and the Board of Customs at the Presidency shall be vested with the duties, powers, and authority now possessed and exercised by the Central Board, in regard to the said Custom House, and to all persons and things chargeable with Customs or Town Duties at that place, or subject to the authority, or liable to the process of the Collector thereof.

The Collectors of Customs and Town Duties at Patna, to be subject in future to the authority of the Board of Customs at the Presidency.

IV. The Collectors and Deputy Collectors of Customs at Ghazeepore, Benares, Mirzapore, Allahabad, Cawnpore, Furruckabad, Bareilly, Meerut, Agra, and Balasore, shall be subject to the Board of Customs at the Presidency, in regard to the rates of duty to be levied, the valuation of Goods, the issuing and disposing of Rowannahs, and Passes, the appointment, dismissal, and punishment of their Native Officers, the preparation of Reports, Registers, and Accounts, the Establishment of Chokies, the sale of goods deposited or confiscated, and generally in regard to all matters relating to the Collection of the Government Customs (excepting as hereinafter excepted,) in the same manner as they are now subject respectively to the authority of the Central and Western Boards of Revenue, and the Commissioner of Cuttack: And the said Boards and Commissioner shall not interfere with the Proceedings of the Collectors in regard to the said matters, unless specially authorized to do so by the Governor General in Council. If any doubt shall arise in regard to the intent and meaning of this rule,—it shall be competent

The Collectors and Deputy Collectors of Customs, at Ghazeepore, Benares, Mirzapore, Allahabad, Cawnpore, Furruckabad, Bareilly, Meerut, Agra, and Balasore, to be in future subject to the authority of the Board of Customs at the Presidency.

competent to the Governor General in Council by an Order in Council to determine the point; any thing in the existing Regulations to the contrary notwithstanding: and generally to decide, with the exception hereinafter stated, under what authority the Collectors and Deputy Collectors aforesaid, shall act in the discharge of any part of their official duty.

What powers shall continue to be exercised by the Central and Western Boards of Revenue, and Commissioner of Cuttack.

V. Provided, however, that the Central and Western Boards of Revenue, and Commissioner of Cuttack, shall continue to possess and exercise the same powers and authority as now belong to them, in regard to the confiscation of Goods, the levying of double duty, and other penalties prescribed for acts done by individuals in violation of the Custom Law, and the remission of the same: and all cases relative to such confiscations and penalties shall be reported by the Officers, as above-mentioned, to the said Boards and Commissioner respectively as heretofore; and shall be dealt with and decided by them agreeably to the Regulations in force.

A. D. 1826. REGULATION X.

Reg. X. 1826 —
Zillah Midnapore Dist.

A REGULATION *for removing doubts as to the application of Section L, Regulation X,* 1819 *to the district of Goruckpore: for prohibiting the Manufacture, within any of the districts of Bengal, Behar, and Orissa of Noon-chye, or any description of Saline substance, used as a condiment with food, excepting on account of, or with the permission of Government: and for providing for the retail Sale of Salt by Government Officers in certain cases.—Passed by the Governor General in Council on the* 13*th July* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut; and the* 6*th Zehijja*-1241 *Higeree.*

WHEREAS doubts have arisen as to application of the rule contained in Section L, Regulation X, 1819, to the district PREAMBLE.

district of Goruckpore, which it is desirable to remove; and whereas it appears that the manufacture of a saline substance denominated Noon-chye, being the ashes of straw, burnt after having been steeped in salt water, and the preparation therefrom of condimentary salt is carried on in the district of Chittagong to a great extent contrary to the obvious intent and meaning of the Law; and whereas it is the intention of Government to authorize the retail sale of salt at a cheap rate in the said district, and in certain other parts of the country, where such a measure appears to be required for the relief of the people, according to a system already established in the province of Cuttack; the following rules have been enacted to be in force from the date of their promulgation.

The Provisions of Section L, Regulation X, 1819, to be applicable to the district of Goruckpore, and to any other districts adjoining the Province of Behar.

II. It is hereby declared and enacted that, the provisions of Section L, Regulation X, 1819, which prohibit all persons from importing, transporting, or storing within the distance of eight coss from the limits of the districts of Shahabad and Sarun, any of the salt described in the preceding Section of the said Regulation in quantities exceeding one maund, and which render all salt imported, transported, or stored in violation of the said prohibition liable to seizure and forfeiture, are and shall be considered applicable to the importation, transportation, or storing any quantity of the salt therein referred to, exceeding one maund within the distance of eight coss from the limits of the district of Goruckpore, or of any other district belonging to this Presidency, and adjoining the province of Behar.

III.

III. It is hereby declared and enacted that the manufacture within the provinces of Bengal, Behar, and Orissa of Noon-chye or any description of saline substance used as a condiment with food (excepting on account of Government or with its sanction) is and shall be considered to be a violation of the rule contained in Section XXX, Regulation X, 1819, any place prepared for the reception or evaporation of salt water, or the collection of earth or other matter impregnated with salt, for the purpose of manufacturing salt or any saline substance as aforesaid, shall be held to constitute a salt work, within the meaning of Section XXXI and the four subsequent Sections of the said Regulation. And the manufacture, importation, transportation, possession, sale, and purchase of any saline substance, as aforesaid, shall be, and be held liable to the same rules, restrictions, and penalties as attach to manufacture, importation, transportation, possession, sale or purchase of ordinary alimentary salt.

The manufacture of Noon-chye or any other description of saline substance in the provinces of Bengal Behar and Orissa shall be considered to be a violation of the rules contained in Section XXX, Regulation X, 1819.

What place shall be held to constitute salt works.

IV. Where from local circumstances, or other sufficient cause, it shall appear to Government to be proper to direct the retail sale of salt within any particular district or tract of country, and consequently to modify the rules generally applicable to that branch of the public resources, it shall be competent to the Governor General in Council by an order in Council, to direct the said rules, or any part of them to be suspended within the district or tract of country in question, for such period as may from time to time appear proper, and in lieu thereof to prescribe for the same such other rules relative to transportation, sale, purchase, and possession of salt, and for the issue and disposal of Rowannahs,

Retail sale of salt allowed under certain circumstances.

Special rules to be prescribed in such cases.

Rowannahs, and passes as may from time to time appear to be expedient. Provided, however, that the penalties attaching to the violation of the rules so specially prescribed shall not in any case exceed those, which would attach under the general regulations to the illicit transportation, sale, purchase or possession of the like quantity of salt. In all such cases, the special rules prescribed shall be published in the current language of the district, and shall be affixed, at the Cutcherry of the Judge, Magistrate, and Collector of the district, as well as at the office of the Local Salt Agent and Superintendent of Chokies, and at the several Police Thannahs, and Salt Chokies within the tract in question.

Such rules to be published.

A. D. 1826. REGULATION XI.

A REGULATION *for providing a succession of duly qualified Hindoo and Mahomedan Law Officers, in the several Courts of Justice; and for enacting an additional Rule for the Appointment of Vakeels in the Zillah and City Courts.—Passed by the Vice-President in Council on the 4th August* **1826,** *corresponding with the* **21***st Sawun* **1233** *Bengal Era; the* **16***th Sawun* **1233** *Fusly; the* **22***d Sawun* **1233** *Willaity; the* **1***st Sawun* **1883** *Sumbut; and the* **28***th Zehijja* **1241** *Higeree.*

PREAMBLE.

WHEREAS the power formerly exercised by the Governor General in Council of confirming the Appointment of the Law Officers of the Provincial, Zillah, and City Courts was transferred to the Court of Sudder Dewanny Adawlut by Section IV. Regulation VIII. 1809; and considerations which are connected with measures in progress under the immediate control of Government for promoting

promoting education amongst the Natives of these Provinces, and for securing the Services of the most able and learned Persons for those high Offices, have suggested the expediency of altering the Rules now in force for the nomination and Appointment of the Law Officers in the several Courts of Justice, and of vesting the confirmation of all such Appointments in the Executive Government; and whereas it is deemed advisable to provide by a specific enactment, in addition to the Rules contained in Section III. Regulation XXVII. 1814, for the admission of qualified Students at the Public Colleges under this Presidency to hold the Office of Vakeel in any of the Zillah and City Courts; the following Rules have been passed by the Vice-President in Council to be in force from the date of their promulgation throughout the whole of the Provinces immediately subject to the Presidency of Fort William.

Regulations V. 1804, VIII. 1809, and XVIII. 1817, modified.

II. The Rules contained in Regulations V. 1804, VIII. 1809, and XVIII. 1817, or in any other Regulation now in force, relative to the nomination and appointment of the Law Officers of the several Courts of Justice, are hereby declared subject to the modifications contained in the present Regulation; Provided, however, that nothing in this Regulation shall be construed to alter or affect the power vested in the Court of Sudder Dewanny Adawlut by Section IV. Regulation VIII. 1809, of confirming the removal of the Law Officers of the Provincial, Zillah and City Courts; or to alter any part of the Rules now in force respecting the removal of a Law Officer attached to any of those Courts.

Proviso.

III. The

III. The Appointment and removal of the Law Officers of the Sudder Dewanny Adawlut and Nizamut Adawlut shall be reported as heretofore for the previous sanction of the Governor General in Council; subject to the further provisions contained in the present Regulation.

The Law Officers of the Sudder Dewanny Adawlut and Nizamut Adawlut how to be appointed and removed.

IV. *First.* The Law Officers of the Provincial Courts of Appeal and Circuit, and of the Zillah and City Courts, shall hereafter be appointed by the Governor General in Council.

The Law Officers of the Provincial, Zillah and City Courts, to be hereafter appointed by the Governor General in Council.

Second. Whenever a Law Officer may be removed from his station, or whenever a vacancy may occur in the office of Law Officer in any of the Courts of Justice, from death, resignation or otherwise, the Judge or Judges of the Court, in which the removal or vacancy may have occurred, shall nominate for the approbation of the Governor General in Council, a person duly qualified to succeed to the station so vacated, and shall at the same time report fully the past employments, character, qualifications and age of the proposed successor, and likewise whether he has obtained the prescribed certificate of qualifications hereafter noticed; The Governor General in Council, on consideration of such Report, or after calling for any further information that may appear necessary, will either confirm the person so nominated to fill the vacated office; or will issue Orders for his examination; or appoint any other person whom he may deem better qualified for the office.

Rule to be observed on the removal, death, or resignation of a Law Officer.

V. *First.*

No person to be appointed a Law Officer, who shall not have obtained a Certificate of qualification.

V. *First.* After the Promulgation of this Regulation no person shall be appointed to be a Hindoo or Mahomedan Law Officer in any of the Courts of Justice under this Presidency who shall not have obtained a Certificate of qualification (in one of the forms, A. or B. contained in the Appendix) after having undergone an Examination, to be conducted in the manner hereafter noticed, by a Committee, consisting of such persons as the Governor General in Council may, from time to time, be pleased to appoint for that purpose.

Annual Examination of candidates for the situation of Law Officer to be held before a Committee.

Second. Public examinations shall be held before the Committee early in each year, or at such periods as may be fixed by order of the Governor General in Council, of all persons who may offer themselves as Candidates for the Office of Law Officer, the result of which shall be reported to Government, and so many of the Candidates as shall be found upon examination to be eminently qualified for the office of Hindoo or Mahomedan Law Officer, shall receive from the Committee a Certificate of qualification in the form A. contained in the Appendix to this Regulation.

Persons who may not have previously obtained a Certificate of qualification how to be examined.

Third. Whenever any person who may be nominated to the office of Law Officer by the Sudder Dewanny and Nizamut Adawlut, by the Provincial Court of Appeal and Circuit, or by the Zillah or City Judge, shall not have previously obtained a certificate of qualification, the Governor General in Council will issue such orders as may be deemed proper for the examination of such person; either before the Committee at the Presidency; or by means of written interrogatories

interrogatories to be transmitted by the Committee to the Judge or Judges of the Court in which the vacancy of Law Officer may have occurred, in whose presence the answers to such interrogatories shall be written by the person nominated for the vacant office; or by such other mode, as under the direction of the Committee at the Presidency may be calculated to ensure a fair and impartial examination of the Candidate.

Fourth. The Committee at the Presidency shall report the result of the examination, prescribed in the foregoing clause, for the information of Government; and in the event of the Candidate being declared duly qualified for the office of Hindoo or Mahomedan Law Officer; (as the case may be) such Candidate shall receive from the Committee, a Certificate of qualification according to one of the forms A. or B. with reference to the mode in which the examination of the Candidate shall have been conducted.

The Committee to report the result of their Examinations and grant Certificates to Candidates who may be duly qualified.

VI. In addition to the Rules contained in Section III. Regulation XXVII. 1814, for the nomination and appointment of Vakeels in the several Zillah or City Courts, it is hereby enacted, that, after the promulgation of this Regulation, any Native Student who may have been educated, or have received instruction at one of the Public Institutions under this Presidency, and who shall have received a Certificate of adequate proficiency in the Laws and Regulations, and of good character, from the Superintending Committee of any of the Public Colleges supported

A Native Student in any of the Public Institutions under this Presidency who shall have received a Certificate of qualification, shall be admitted to practise as a Vakeel in any of the Zillah and City Courts on application.

supported by Government, according to the form C. in the Appendix to this Regulation, shall, on making application to any of the Courts abovementioned, be entitled to receive a Sunnud of Appointment to practise as a Vakeel in the Zillah or City Court to which the application may be made, unless the number of Vakeels already attached to such Court (including those allotted to the Courts of the Register and Sudder Ameens in pursuance of Section XVI. Regulation XXVII. 1814,) shall render the immediate admission of any additional Vakeel, or Vakeels, highly inconvenient and objectionable, in which case the admission of the person so applying may be postponed by order of the Judge of the Court, so long as shall appear necessary. Provided always, that every person, previously to his being admitted to practise as a Vakeel, shall take and subscribe before the said Court, the oath, or solemn declaration in lieu thereof, required by Clause I. Section V. Regulation XXVII. 1814, and shall be held liable for misconduct to be deprived of the Sunnud granted to him by the Court, and to all the penalties to which the Vakeels of the Courts of Justice are declared subject, by the Regulations which have been, or may be enacted.

Unless strong objections exist to his admission.

Proviso.

APPENDIX A.

Certificate of a Hindoo or Mahomedan Law Officer.

(Seal of the Committee)

We hereby Certify, that at an Examination held at the Presidency of Fort William on the

by the Committee appointed under the provisions of Regulation XI. 1826, A. B. was found and declared to be qualified, by his eminent knowledge of the Hindoo (or Mahomedan) Law, to hold the office of Hindoo (or Mahomedan) Law Officer, in any of the established Courts of Judicature.

(To be signed by the President, and not less than Two Members of the Committee of Examination.)

This Certificate has been granted to the said A. B. under the Seal of the Committee this———— day of———— in the Year ———— corresponding with the (Mahomedan or Hindoo date.)

C. D.

Secretary to the Committee.

FORM

B.

FORM of Certificate of a Hindoo (or Mahomedan) Law Officer when examined at a special examination.

(Seal of the Committee.)

We hereby Certify, that the Committee of Examination at the Presidency of Fort William, having duly considered the proceedings held on the Examination of A. B., conducted under the provisions of Clause III. Section V. Regulation XI. 1826, do consider the said A. B. to be duly qualified, by his knowledge of Hindoo (or Mahomedan) Law, to hold the Office of Hindoo (or Mahomedan) Law Officer in any of the established Courts of Judicature.

(To be Signed by the President, and not less than Two Members of the Committee of Examination.)

This Certificate has been granted to the said A. B. under the seal of the Committee, this————day of———— in the Year————, corresponding with the (Mahomedan or Hindoo date to be here inserted.)

C. D.

Secretary to the Committee.

CERTIFICATE

C

CERTIFICATE of a Student in any of the Colleges established or supported by Government, who may be declared qualified to be admitted as a Vakeel in any of the Zillah or City Courts.

(Seal of the College.)

We hereby Certify, that at an Examination of the Students in the (Hindoo or Mahomedan) College at ———————— held on the ————————, A. B. was found qualified, by his proficiency in the Hindoo (or Mahomedan) Law, and in the Regulations of the British Government, to discharge the duties of Pleader in any of the Zillah or City Courts.

We further Certify, that the said A. B. is reported by the Officers of the College to be of good character, and to have conducted himself with propriety during the time he has been attached to the College.

(To be signed by the Examiners.)

This Certificate has been granted to the said A. B under the Seal of the College this ———————— day of ———————— in the Year ———————— ———— corresponding with (the Mahomedan or Hindoo date.)

C. D.

Secretary to the College.

A. D. 1826. REGULATION XII.

A REGULATION *for raising and levying Stamp Duties within the Town of Calcutta.—Passed by the Vice President in Council on the* 14*th December,* 1826, *corresponding with the* 30*th Aughun* 1233 *Bengal Era; the* 30*th Aughun* 1234 *Fusly; the* 1*st Poose* 1234 *Willaity; the* 15*th Aughun* 1883 *Sumbut; and the* 13*th Jumadee-ul-urwal* 1242 *Higeree.*

WHEREAS Stamp Duties have long been raised, levied, and paid within the Provinces subordinate to this Presidency, and whereas it appears expedient, with a view to the improvement of the Revenue derived from the said Duties, and is otherwise just and proper, that a similar Tax should be levied and paid within the Town of Calcutta, the Vice-President in Council, under the powers vested in him by virtue of the XCVIII. and XCIX. Sections, of the Act 53 George III. Cap. CLV. and with the sanction of the Court of Directors of the United Company of Merchants

Preamble.

Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, has enacted the following Rules to be in force within the said Town of Calcutta, from and after the 1st day of May next ensuing.

Stamp duties to be levied and paid within the City of Calcutta.

II. A Stamp Duty shall be levied, raised, and paid within the Precincts of the City of Calcutta, upon the deeds, instruments, and writings, and according to the rates specified in the Schedule annexed to this Regulation, from and after the date specified in the Preamble of this Regulation, and no instrument, deed, or writing of the descriptions specified in the said Schedule (saving of course what may be therein declared to be exempted) shall be written or printed on any vellum, parchment, paper, tar-leaf, or other material applicable to such purpose, except the same shall have been duly stamped according to the rules of this Regulation.

The collection of the duty to be under the control of the Board of Revenue, or other Commission appointed by Government.

III. The duty hereby directed to be levied, raised, and paid in Calcutta, shall be under the care and management of the Board of Revenue at the Presidency, or of such other Commissioner or Commissioners as the Governor General in Council may, from time to time, appoint; and on notice of such appointment being given in the Government Gazette, the Commissioner or Commissioners shall possess and exercise all the powers and authorities relative to Stamps vested in the Board of Revenue by this or any other Regulation which may hereafter be enacted.

Stamp Office to be established under charge of Superintendent of Stamps.

IV. A Stamp Office, at which Stamps of the several descriptions

descriptions provided for by this Regulation, shall be prepared and kept in store, shall be established at such house, building, or place within the City of Calcutta, as the Governor General in Council may deem suitable for the purpose, and the same shall be under the charge of an Officer to be denominated Superintendent of Stamps in Calcutta, who shall, in all matters connected with the execution and due enforcement of this Regulation, be subject to the Orders of the Board of Revenue. The Superintendent shall keep an exact account of all Stamps impressed or manufactured by the Government Officers, as well as of all issues from the Depôt, and of the quantity of stamped paper, vellum or parchment of each description remaining in store: He shall likewise prepare and submit to the Board of Revenue, such periodical reports and statements, as may be required by that authority.

Duties of Superintendent.

V. *First.* For every sum charged, or purported to be charged as stamp duty on any vellum, parchment, paper, or other material, two stamps shall be impressed on such material, each of which shall specify in the English, Persian, and Bengallee character, the amount of the sum charged—one of the said stamps shall be affixed at the Stamp Office, and shall bear besides the value as above, the words "Stamp Office," in the English character, with any further device or legend which the Board of Revenue may see fit to direct. The other impression shall be a counter-stamp, to be impressed at the General Treasury, bearing similarly along with the amount of duty levied, the words "General Treasury," in English. No stamped paper shall be used for any purpose, for which the same may be required by this Regulation, except such as may bear both impressions as above directed,

Stamps how to be impressed and where.

directed, together with the signature of the vender, distributor, or other authorized person, as hereinafter prescribed.

Board of Revenue to cause proper Stamps to be provided.

Second. It shall be the duty of the Board of Revenue, or other authority, exercising the power of that Board, to provide or cause to be provided, proper and sufficient stamps, or dies for expressing and denoting the several duties and rates specified in the Schedule annexed to this Regulation, and it shall be competent to the Board of Revenue, or other authority aforesaid, if they shall judge it expedient to direct the employment of two or more stamps, to denote the amount chargeable on any single piece of vellum, parchment, paper, or other material, provided, however, that the stamps impressed at the Stamp Office of the Superintendent of Stamps, or other place appointed in lieu of it, shall always correspond in number and value with the counter stamps impressed at the General Treasury, and that all dies shall, besides the words denoting their value, contain the following words, that is to say, those used at the office of the Superintendent of Stamps, or other place aforesaid, shall contain the words *Stamp Office*, and the counter stamp impressed at the General Treasury, shall similarly contain the words *General Treasury*.

Board of Revenue to alter the dies from time to time.

Third. The said Board, or other authority, shall have the power of, at any time, changing or altering such dies, and of regulating the size, shape, manner, and matter of the impressions at discretion, provided that the stamp to be affixed at the Stamp Office do always contain in plain and legible characters, the legend prescribed for it in the preceding clause, and that the counter

Counter-Stamp of the Treasury do similarly contain its legend: provided also, that the Board of Revenue, or other authority aforesaid, shall, in the exercise of the powers and functions vested in them by this Regulation, be guided by such special directions as they may receive from the Governor General in Council in the manner heretofore used in all matters and things belonging to the management of the public Revenue.

Collector of Stamp Duties in Calcutta, how to be appointed.

VI. *First.* An Officer, being a Civil Servant of the Honorable Company, shall be specially appointed by the Governor General in Council, to take charge of the collection of the Stamp duty within the City of Calcutta, such Officer shall provide for the sale and distribution of the Stamps, being answerable to Government for the amount of duty chargeable upon each and every paper, vellum, or parchment received by him for distribution. The Collector of the Calcutta Stamp Duty shall receive such salary or other remuneration as may be appointed by the Governor General in Council. He shall, in all things connected with the collection of this duty, be subject to the Orders of the Board of Revenue, and shall keep such accounts and in such forms as may be prescribed by that authority.

Collector to be subject to the Orders of the Board of Revenue.

Collector's Office where to be held.

Second. The Collector of the Stamp Duty shall hold his Office, either in the same House with the Stamp Office, or as near to that Office as may be practicable. He shall, at all times, be supplied with Stamps upon indent by the Superintendent, to whom he shall grant receipts in duplicate.

Venders and distributors of Stamps how to be appointed.

Third. It shall be the special duty of the Collector of Stamps

Stamps to select proper persons resident in different parts of the Town, for the purpose of vending and distributing stamps on the part of Government. The appointment and removal of such venders shall be ordinarily made at his recommendation, by the authority of the Board of Revenue. Provided, however, that nothing herein contained shall be construed to preclude the Board of Revenue or the Governor General in Council, from causing licenses to be granted, without any recommendation from the Collector, whenever they shall see fit to issue to him directions to that effect, under the general powers exercised by the Board and by Government over all Subordinate Officers employed in the management or collection of the public Revenue.

Venders to be furnished with licenses.

Fourth. Every vender shall be furnished with a license under the Seal and Signature of the Collector, and the appointment of any one to this duty, as well as the withdrawing of any one's license or other discontinuance of his authority to vend, by resignation, death, and the like, shall be notified in the Government Gazette, for general information.

No person shall publicly sell Stamps without license or special authority from the Board of Revenue.

Fifth. No person, not licensed after the manner provided in the preceding Clause of this Section, (unless he should be otherwise specially authorized by the Board of Revenue) shall be competent to expose Stamped paper, parchment or other material publicly to sale, and any one offending in this respect, shall forfeit to Government, for the first offence, the sum of Sicca Rupees five hundred, and for the second, or any subsequent offence, the sum of one thousand Sicca Rupees. But nothing herein contained

Penalty for breach of this Rule.

contained shall be deemed to prevent persons having duly purchased Stamped paper from the authorized venders of Government, or having otherwise obtained such paper from the Stamp Office, after the manner hereinafter provided, from transferring the same to others at a price equal to the amount of duty denominated by the Stamp or Stamps impressed thereon: provided however that every person, who may so transfer Stampt Paper, shall endorse the same with his signature in the presence of one or more creditable persons, and the proof that the Paper was purchased as aforesaid, shall lie with the person so transferring it. Provided also, that if any individual shall sell or buy any Stampt Paper, or other material bearing or purporting to bear the Government Stamp, for a less price than the amount of the duty denominated by the Stamp or Stamps thereon impressed, he shall forfeit for each and every piece of paper, or other material so bought or sold by him, the sum of fifty Rupees.

But persons purchasing Stampt paper may transfer the same.

Under what conditions.

Penalty for purchase or sale of Stampt Paper at a value less than the amount of the duty impressed on the same.

VII. *First.* For the convenience of merchants and others, who may be desirous of having at all times in their possession papers, parchments, or the like, stamped with various impressions, to be used as occasion may require, in the drawing up of instruments of any of the descriptions required to be executed on materials impressed with the Government Stamps; it is hereby provided, that any person desirous of obtaining a supply of Stampt Paper or other material, shall, on application to the Collector of Stamps, and the payment into his Treasury of the amount chargeable on account of the Stamps required, receive a Certificate from the Collector, stating the amount paid, and the number and value of the Stamps required; and on the production of that Certificate,

Individuals how to get a supply of Stampt Paper from the Stamp Office.

Certificate, together with the necessary quantity of plain paper, parchment or other material, the Superintendent shall cause the same to be immediately Stamped at his office, with the Stamps specified in the said document, and shall transmit the said papers, parchments, or other materials to the General Treasury, to be there impressed with the necessary Counter-Stamps. Provided, however, that no person shall be entitled to require the Collector to grant a Certificate in the manner above stated, unless the total value of the Stamps for which he may tender payment shall amount to the sum of one hundred Rupees. And the number of pieces of paper, vellum, or other material required to be Stamped, shall not be less than twenty.

The Superintendent not to Stamp any Paper, or the like, on account of any Individual, without first requiring the receipt of Collector for the amount.

Second. No paper, vellum, parchment, or other material, shall, on any account, be received by the Superintendent of Stamps, to be Stamped on account of any Individual, unless the same be accompanied with a receipt in full, under the signature of the Collector of Stamps, for the entire amount of duty which may be required to be impressed thereon, or unless the same be sent him to be Stamped, by authority of the Board of Revenue, under the powers vested in that Board by this Regulation. The receipt of the Collector shall, in all cases, specify, as well the aggregate amount paid, as the number and description of the Stamps required, and the exact number of sheets or pieces on which the same are to be impressed. All such receipts shall be disposed of by the Superintendent in such manner as the Board of Revenue may prescribe.

Forms to be observed on the issue of Stamps under the above clauses.

Third. The Superintendent of Stamps shall appoint one or more

more Officer or Officers of his establishment to receive and compare with the Collector's receipt, all papers or the like brought to be Stamped as above, and after the Stamps shall have been affixed, the same Officer shall again count the whole and sign his name at the back of each separate sheet, or piece of paper, or other material, and he shall likewise note on each, the date on which the said paper is ready for re-delivery, and further make an entry to that effect, with specification of the quantity of paper or the like impressed with each description of Stamp, in a book to be specially kept by him for that purpose. When the paper or other article shall be prepared in the manner above described, it shall be made up into a parcel to be sealed with the Superintendent's seal, and shall, in that state, be forthwith transmitted to the person who may have sent it to be Stamped; or at the Superintendent's option, notice shall be sent of its being ready for delivery when called for.

In what case a discount may be allowed by Collector.

Fourth. Whenever any person or persons shall desire to send paper, or other material, to the Stamp Office, for the purpose of being Stamped, and shall consequently pay the amount of duty in advance in the manner above required, it shall be competent to the Collector of Stamps, in case the total amount so falling to be paid, shall exceed the sum of five hundred Rupees in any one payment, to allow to the party making such payment, a discount at the rate of four per Cent. upon the aggregate amount of duty leviable, or such other rate as may, from time to time, be appointed by the Governor General in Council, by notification in the Government Gazette, and the amount of such discount shall be charged, and entered on the Collector's accounts, under the head of disbursements.

At what rate.

How to be brought to account.

Fifth.

Licensed venders may purchase Stamps under what conditions.

Fifth. It shall also be competent to the Board of Revenue to direct and cause stamps to be furnished in the manner; and on the terms prescribed in this Section to any licensed venders, who may be willing to purchase the same: All such persons, however, shall, in the sale of Stampt paper so furnished to them, be subject to the same Rules, as are prescribed for the sale of Stamps supplied to them on-account of Government. Provided, however, that if such vender shall resign, or be dismissed, or his license be otherwise cancelled, then and in that case he, his representative, or assign, shall deliver up to the Collector of Stamps, or to such person as he may appoint to receive the Stampt paper, vellum, or the like, furnished to him under the provisions of this Section, or such portion as may not have been disposed of, and shall be entitled to recover a sum equivalent to the price which he may have advanced for the same, viz. the specified amount of the Stampt paper, or other material aforesaid, with a deduction of the discount that may have been allowed on it.

Penalty on Superintendent for stamping Paper, or the like, on account of Individuals without Certificate from Collector.

Or other sufficient authority.

Penalty on Collector for granting Certificate before duty is paid.

VIII. *First.* If any Superintendent or other Officer shall fix, or impress, or cause to be fixed or impressed, any Stamp to or upon any vellum, parchment, paper, or other material, which shall be brought to the Stamp Office, to be stamped or marked, without a regular certificate from the Collector of the amount of duty having been paid, or without special authority in writing from the Board of Revenue, he shall for every such offence forfeit the sum of one thousand Rupees. In like manner, if any Collector, or other Officer appointed to receive the stamp duty, shall grant a Certificate of the above description, before the prescribed

duty

duty with a deduction of the authorized discount shall have been actually paid, such Officer shall forfeit for every such offence the sum of one thousand Rupees, besides being held responsible for the amount of duty unrealized.

Second. Any Native Officer, or other person causing, or procuring any Stamp to be fixed or impressed, or any Certificate to be granted in the irregular manner aforesaid, or conniving with the Officer so fixing, or impressing any Stamp, or so granting a Certificate, shall forfeit for every such offence the sum of one thousand Rupees, and shall, in addition, be held answerable for the amount of duty chargeable on the paper mentioned in the Certificate.

Penalty on Native Officer or other Person causing or procuring Stamp to be impressed, or Certificate granted irregularly.

IX. *First.* The following Rules are enacted for the controul and superintendence of the venders and distributors authorized to be appointed by Section VI. of this Regulation.

Rules for Venders and Distributors.

Second. Every person who may be appointed to be a vender or distributor of Stamps on the part of Government, shall attend the Board in person, and execute a bond with one or more responsible sureties, for the faithful performance of the several duties, prescribed for such venders and distributors in this, or any future Regulations, with such penalty, and after such form, as may be required by the said Board, and any failure in fulfilling the conditions of such bond, shall, besides the penalty thereby provided, subject the offender to immediate dismission from the said office of vender or distributor, by the Board of Revenue.

Venders and Distributors, to give security for the due discharge of their duty.

Third.

Rules to be observed by them.

Third. The following Rules shall be observed by all venders and distributors of Stamps, and the bonds executed by those persons on their appointment, shall distinctly bind them to a strict observance of those Rules, subject in case of failure to the several penalties hereinafter specified. Provided, however, that it shall also be competent to the Board of Revenue, to require the venders and distributors of stamps to come under such further engagements, as may appear necessary, and as may be legally required from them.

Board may require further engagements.

Licenses and Schedule of Stamp Duties to be stuck up, in Vender's shops.

Fourth. All persons licensed to vend or distribute Stamps, shall, at all times, have their respective licenses, together with a Copy of the Schedule annexed to this Regulation duly authenticated by the official signature of the Collector of Stamps, stuck up in a conspicuous place within the shop or building in which they may sell the Stamps, and shall further hang up on the outer door of such shop or other building, such notification of their being licensed as the Board of Revenue may direct. Any neglect or failure to observe the above rule, will subject the party offending to a fine of Sicca Rupees fifty.

Accounts to be kept by Venders, and produced to Collector when required.

Fifth. All persons as aforesaid shall keep such accounts of the paper received and delivered by them as the Board of Revenue may direct, and shall furnish the Collector with such copies or extracts of those accounts, and at such periods as he may, from time to time, require. The said persons shall regularly pay to the Collector all money or monies received by them on the sale of Stamps entrusted to them on the account of Government, at such periods as the said Officer may appoint, and

Money received by Venders to be regularly accounted for.

and shall likewise at all times, when required, permit the Collector or other person duly authorized by him, to inspect the accounts kept by them and to examine the store of Stampt paper, or the like, which they may have in their possession.

Accounts and Stamps to be produced for inspection when required.

Sixth. Any vender or distributor failing to produce before the Collector of the Stamp duty, any of the accounts required by the Board of Revenue, to be kept by him, after requisition made in writing by that Officer, and failing to account for such omission to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, shall forfeit the sum of fifty Rupees, and shall further pay such daily fine for every day beyond the date fixed in such requisition for the production thereof, until the day when the accounts may be produced, as the Board of Revenue may direct. Any vender or distributor refusing to permit the Collector of Stamps, or other person duly authorized by a writing under the seal and signature of that Officer, to inspect the said accounts and examine the store of Stamped paper, at the time in the custody of such vender or distributor immediately upon demand, shall forfeit for every such refusal the sum of one hundred Sicca Rupees, and shall further be subject to such daily fine until he complies with the Collector's requisition, as the Board of Revenue may direct.

Penalty for breach of above Rules.

Seventh. No vender or distributor of Stamps shall deliver any stamped paper or the like, without having previously received the full amount of the duty denominated by the Stamp thereunto affixed: save and except in cases, in which he may be otherwise

Venders to realize duty before delivering Stamp.

otherwise specially permitted or directed by the Collector or Board of Revenue.

Penalty for delivery of Stamps without receipt of full duty.

Eighth. Any vender or distributor who may, without authority, permission or direction in writing from the Collector or Board of Revenue sell, give out, or deliver Stamped paper, vellum, parchment, or the like, without having received the entire amount of duty denominated by the Stamp affixed thereto, shall forfeit for each, and every piece of paper or other material aforesaid so given out or delivered by him, the sum of fifty Rupees, besides being held responsible for the amount, which should have been taken in case of its not being afterwards recovered. Any person taking or receiving Stamped paper from any such vender, without having paid the entire amount of duty as aforesaid, shall forfeit the like sum of fifty Rupees for each, and every piece of paper, &c. received or taken by him.

Penalty for receiver in such case.

Venders to endorse the date of sale, and delivery of Stamps sold by them.

Ninth. All venders and distributors of Stamps shall carefully write on the back of each sheet, or piece of Stampt paper, or the like, sold or delivered by them, the date of sale and delivery, and shall attest each endorsement with his signature written in the manner commonly used by him.

Penalty for neglect.

Tenth. Any vender or distributor giving out, or delivering any Stamped paper or the like, without writing at the back of each sheet or piece, his name, and the date of sale, and delivery as aforesaid, shall forfeit for each, and every piece of paper so given out or delivered by him, the sum of fifty Rupees, provided the

the value of the paper sold do not exceed the sum of sixteen Rupees; but, if the value of the paper so sold without signature exceed the sum of sixteen Rupees, then the vender shall for every offence so committed forfeit a sum equal to three times the value of the paper so illegally sold by him.

Eleventh. Any vender or distributor writing a false date at the back of paper, vellum, or parchment given out by him, shall forfeit the sum of one hundred Rupees for every such offence, or if the value of the stamp sold exceed Sixteen Rupees, then he shall forfeit six times the value of such Stampt paper, besides being in both cases liable to the penalty of his bond in case of any breach of its stipulations.

Penalty for falsification of date.

Twelfth. All venders and distributors of Stamps shall comply with all applications made to them for the purchase of Stampt paper or the like, with as little delay as possible. Any vender or distributor, being applied to for Stamped paper or the like, and having in his possession the description of paper required, shall, in case of refusal or wilful delay to furnish the same to the person applying for it, and tendering the value in coin of the established currency, or in notes authorized by Government to be received in payment of the public revenue, forfeit for every such offence the sum of fifty Rupees.

Penalty for refusal or wilful delay, to deliver Stamps.

Thirteenth. No vender, or distributor of Stamps shall, on any plea or pretext whatsoever, take or demand a higher price for the Stamps delivered by him, than the sum denoted by the Stamp or Stamps impressed on the paper, parchment, or the like

Penalty for exaction of price, or consideration, in excess of the duty.

so delivered; or any fee, reward or consideration for furnishing Stamps to persons applying for them: and any vender or distributor who, upon furnishing Stamped paper, parchment, vellum, or any other article bearing a stamp, to any individual for use, shall, as a consideration for furnishing the article, or on any other pretext, take or demand as the equivalent of the article so furnished, a higher price than the amount that may be denoted by the impression of the Stamp or Stamps upon such paper, parchment, vellum, or the like, shall forfeit for every such offence the sum of Sicca Rupees one hundred.

Collectors may require collateral security from venders.

Fourteenth. It shall be competent to the Collector of Stamps, to demand for his personal satisfaction, such collateral security, in addition to the said bond, as he may deem necessary, to guard against loss from the misappropriation of the Stamps delivered to the venders or distributors, or the embezzlement of the money realized by them, and to require the same to be renewed or other security to be furnished at any time that he may deem the same expedient, and any one unable or refusing to give such security when required, shall not be appointed, or if already appointed, shall be liable to have his license immediately withdrawn.

On removal or resignation of vender, money, paper and writings to be delivered to Collector.

Fifteenth. When the license of any vender or distributor may be withdrawn, or when such vender or distributor shall resign the office, all Stampt paper, or other article remaining in store at the time of such removal or resignation, and all accounts regarding the sale and distribution of Stampt paper, or the like, at any time delivered to him, together with the balance of

of all money or monies, which may have been realized by the sale and distribution thereof up to the date of the said removal or resignation, and which may not have been already paid or accounted for to the Collector of Stamp duty, and likewise all licenses, orders, or other documents or writings, which the said vender or distributor may have received from that officer, shall be forthwith delivered over to the said Collector, or to such person or persons as he may appoint by a writing, under his hand and seal, to take charge thereof, receiving for such part of the stamp paper or the like as may have been furnished to him, under the provisions of Section VII. of this Regulation, the amount actually paid by him for the same as therein directed. In case any vender or distributor so removed or resigning, shall refuse or fail to make over the said accounts and stores, and the balance of the accounts in cash or any part thereof, he shall forfeit for such failure or refusal, a sum equal to triple the amount and value of the Stamps and money, which may appear from the accounts kept at the Collector's Office, to be in the possession of such vender or distributor, together with such daily fine, until the papers, accounts and documents required are furnished, as the Board or other authority aforesaid may direct.

Course to be followed on death of vender.

Sixteenth. In case of the death of any vender or distributor, the Collector of the Stamp duty shall in like manner be empowered to demand, from the heir or person administering to the estate of the deceased, or other person in charge of his effects, the remainder of any store of Stamped paper, vellum, parchment, or the like, in the possession of such vender or distributor, at the time of his decease, together with all accounts of the

the sale or distribution thereof, as well as all licenses, orders, or other documents or writings as aforesaid, that may be forthcoming amongst the effects of the deceased, and in the event of any refusal on the part of the heir, administrator or other person in charge of the effects of the deceased, to deliver the same, or of refusal to allow search to be made whenever the Collector of the Stamp duty may demand to make search for the said stores or accounts; such heir or administrator, or other person in charge of the estate, shall forfeit for every such offence the sum of fifty Rupees, and shall further be subject to such daily fine until the papers, accounts, documents, and writings required are furnished, as the Board of Revenue may direct.

Cases in which sureties may be called on.

Seventeenth. Provided also, that it shall be competent to the Collector, in the cases specified in the two preceding clauses, as well as in all cases, in which a vender or distributor may fail or delay to account for, and make good the value of any Stampt paper, or the like, with which he may have been furnished for sale on account of Government, immediately to call upon the surety, or sureties of the said vender or distributor, to make good the deficiency of money or paper, and on their failure to do so, to proceed against all, or any of them, for the recovery of the amount.

Venders to verify their accounts by oath, or affirmation.

Eighteenth. All persons appointed by the Board of Revenue to be venders or distributors of Stamps, shall verify by affidavit, or affirmation, their respective accounts, whenever they may be required by the Board to do so, and, if any vender or distributor shall refuse, or neglect to verify his accounts within

such

such reasonable time, as he shall be called upon so to do, by the said Board, or any member thereof, he shall for every such offence forfeit the sum of five hundred Rupees.

Stamps accidentally destroyed, how to be replaced.

X. *First.* Should it so happen that any parcel of papers, parchments, vellums, or the like, or any single sheet, or piece thereof that may have been duly Stamped, and obtained from a licensed vender of the Stamps direct, or from the Stamp Office, under the Rule contained in Section VII. of this Regulation, shall have been destroyed by fire or other accident,—it shall be competent to the Board of Revenue, or other authority exercising the powers of that Board, upon its being proved to the satisfaction of that authority, that the said Stamps were duly received, and subsequently were destroyed by accident, after the manner asserted, to cause their Secretary to grant to the owner of the paper, or other material destroyed, a certificate under his signature, and the seal of the Board, specifying the number and value of the Stamps so destroyed, and the said owner shall, upon carrying the said certificate to the Stamp Office, together with such quantity of paper, vellum, or the like, as may be sufficient for the purpose, be entitled, without any fee, charge, or duty whatsoever, to have the paper, vellum, parchment, or the like, so carried to the Stamp Office, Stamped or marked for such duties, as may be specified in the said certificate, and the Superintendent of Stamps is hereby enjoined to cause the same to be Stamped and delivered in the same manner, as if the paper, or other material were accompanied with a certificate of the duty having been paid under the hand and seal of the Collector of the Stamp duty; provided, however, that a separate account shall be

kept

kept of all Stamps impressed, or affixed by warrant of such certificate.

Also soiled or spoiled Stamps.

Second. In like manner, in case any stamped paper, parchment, vellum, or the like, after having been obtained in the regular manner, shall have become soiled, spoiled, or unfit for use, either by consequence of any accident happening to the same, or because of error in the drawing up, or copying of any instrument thereupon, which being discovered before such instrument may be finally signed and executed, shall render the writing of no avail; or in which, by reason of the death, or refusal of the party or parties, whose signature may be necessary to effect the transaction intended by such writing, it should be incomplete and of no avail; or in which, by the refusal of any office, or trust that may be granted by such instrument, it shall fail of the purpose intended; or in the case of Promissory Notes, Bills of Exchange, or the like, if by non-delivery to the payee, or person acting on his behalf, or other cause, they shall never be brought to use: In all such cases, it shall be competent to the Board of Revenue, or other authority exercising the powers of that Board, upon delivery being made of the stamped paper, parchment, vellum, or the like, so soiled or spoiled, to cause certificate to be granted after the manner provided, in order that the owner of the article, or articles so soiled or spoiled, may have the like, or equivalent stamps, impressed upon other materials to be furnished by him for that purpose. But this rule shall not extend to Bills of Exchange drawn in sets, of which any one of the set may have been delivered to the payee.

Third.

Third. Provided, however, that no such certificate shall be granted by authority of the Board of Revenue, except the total value of stamps proved to have been destroyed or soiled by accident, or the total value of every single stamp in the case of the material having been spoiled by being written upon shall amount to or exceed the sum of ten Sicca Rupees. Provided likewise, that no such Certificate shall be granted, except after proof exhibited that the accident or act, by reason of which the material may have become soiled, or spoiled, or destroyed, or useless, occurred within the period of three calendar months of the date on which application may be made for the Certificate. No exception shall be taken to any deed, or instrument, on the ground that the stamp, which may have been used is not of a proper denomination or rate of duty, provided the same bear an equal or greater value in the whole than the stamp which ought regularly to have been used.

Restriction of above Provision to cases in which the Stamps destroyed or spoiled, shall amount to or exceed Ten Rupees.

Limitation as to the time, within which application is to be made.

XI. *First.* If any person or persons shall, after the date specified in the Preamble of this Regulation, write or engross, or cause to be written or engrossed on any vellum, parchment, paper or other material, any of the matters or things on account of which such material would be chargeable with stamp duty, under the rules of this, or any other Regulation in force, before the said material shall have been duly stamped; or if any person shall, after the said date, in any manner make, sign, or execute, or accept, or negociate, any deed or instrument chargeable with a stamp duty, that may not have been executed on paper, or other material duly stamped, such person or persons shall forfeit for every such offence, a sum equivalent to twenty times the value of the stamp paper which ought to have been used.

Penalty for employing paper &c. not bearing prescribed stamp.

Second.

Holders of instruments written on unstampt paper, on what condition to get them stampt.

Second. Provided, however, that if any person or persons writing or engrossing, or causing to be written or engrossed, any matter or thing chargeable with a stamp duty, upon unstamped paper, vellum, parchment, or the like, or any person or persons accepting or becoming possessed of any deed, instrument, or writing, so written on unstamped paper, or desirous of negociating or benefiting thereby, shall voluntarily carry the same to the Collector of Stamps, and shall pay to that Officer the entire amount of duty chargeable thereupon, together with the amount hereinafter provided, the Collector shall transmit the deed, instrument, or writing, to the Superintendent of the Stamp Office, for the purpose of being duly stampt, and the person aforesaid shall not be liable to the penalty declared in the preceding clause, that is to say, if the deed or instrument originally executed on unstamped paper, shall be brought to be stamped in the manner above mentioned, at any time before the money conditioned, or directed to be paid, or the act conditioned to be done shall be due, but not later than thirty days from the date of the execution of the deed, instrument, or writing, or (in the case of deeds, instruments, or writings, not conditioning the payment of money, or the performance of any contract within a specific period) at any time within thirty days of the execution of the deed, instrument or writing the party shall pay a sum equal to five times the value of the stampt paper which ought to have been used: if the deed or instrument aforesaid shall not be brought in the manner above mentioned, within the period above specified, the party bringing it shall pay a sum equal to ten times the value of the stampt paper which ought to have been used.

If within thirty days.

If after thirty days.

Third.

Third. In case any deed or instrument shall have been executed on paper, parchment, vellum, or other material stamped for a rate or amount of duty less than what may be the rate or amount chargeable on account of the matter or thing that may have been engrossed or written thereupon, the like penalties shall attach as have been provided by the preceding Rules of this Section, that is to say, a sum equal to twenty times the excess of the proper stamp above the value of that which may have been used, shall be forfeited, if the error of the stamp be discovered, otherwise than by the voluntary production of the party or parties concerned; and a sum equal to five or ten times the said excess, if the party shall voluntarily bring such deed to have the proper stamp affixed within the periods above stated, respectively.

Penalty in case of the Employment of Paper, &c. stampt with too low a stamp.

Fourth. Provided, however, and it is hereby enacted, that in case any deed or instrument, chargeable with a stamp duty, shall have been executed on unstamped paper, or other unstamped material, or on any material bearing a stamp of an amount, not equal to the duty chargeable upon such deed or instrument, then if the person executing such deed, or any other party interested, shall establish to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, that the irregular execution of the deed or instrument was owing to accident, or inadvertence, or to other unavoidable cause, it shall be competent to the above-mentioned authority, in case they should think proper to do so, to remit part, or the whole of the penalties above enacted, and to cause a proper stamp to be affixed to such unstamped or improperly stamped instrument,

Provision for case of accident or inadvertence.

instrument, on the payment of the actual amount of duty chargeable thereupon.

Provision for the case of instruments being written on paper, &c. with a forged stamp.

Fifth. Provided, further, that if the stamp or stamps affixed to any instrument, deed, or the like, be detected to be forged or counterfeit, the full penalty of twenty times the value of the stamp on which the same should have been written, shall, in all cases, be exacted, in addition to the entire amount of duty chargeable for such deed, before the same shall be impressed with the genuine stamps of Government, unless the material on which the same may be executed, shall bear the endorsement required by Section VII. or Section IX. of this Regulation, as the case may be, and unless the party having executed, or being at the time in possession of such deed, shall be able to prove to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, that the material stamped with a forged stamp, was purchased or obtained on the date specified on the back of it, and from the individual whose name may be there signed. If the required matter shall be duly endorsed on the back of any material stamped with a forged impression, and the proof adduced to the fact and date of purchase, be deemed by the Board of Revenue to be sufficient, the regular and genuine stamps shall be caused to be affixed on payment of one half the established duty chargeable on account of the matter of the instrument or deed in question, and certificate to that effect shall be given by the Board of Revenue.

Penalty for filing or recording instruments not bearing the prescribed stamps.

XII. *First.* Any person or persons filing, exhibiting, recording, or causing, or procuring to be filed, exhibited, or recorded,

recorded, for the purposes of proof, information, registry, or for any purpose or manner whatsoever, in any Court of Justice or other Public Office, any deed, instrument, or other writing required to be written on stampt paper, which may not be written on the prescribed stampt paper, whether the said person or persons be himself the party interested in the case or matter, on account of which such deed, instrument, or writing may be filed, exhibited or recorded, or be the Attorney or Agent of such party, shall forfeit to Government a sum equal to twenty times the value of the stampt paper on which such deed, instrument, petition, pleading, or document ought to have been written.

Penalty for filing papers, &c. not duly endorsed by a vender or distributor of Stamps.

Second. If any deed, instrument, or other writing, required to be written on stampt paper, and written on the prescribed stampt paper, shall be filed, exhibited, or recorded in any Court of Judicature, or in any Public Office, not having the signature of a licensed stamp vender, or other person duly authorized to sell or distribute stamps, endorsed upon it, the person or persons, filing, exhibiting, or recording the said deed, instrument, or writing, or causing, or procuring it to be filed, exhibited, or recorded, shall forfeit a sum equal to five times the value of the said stampt paper.

Penalty for filing an instrument or the like bearing a forged Stamp.

Third. If any deed, instrument, petition, or document, shall be filed, exhibited, or recorded as aforesaid, having a forged or counterfeit stamp or signature, the person filing, exhibiting, or recording such deed, instrument, or document, or causing, or procuring it to be filed, exhibited, or recorded, shall forfeit to Government a sum equal to twenty times the value of the stamp, which

If without due endorsement.

which ought to have been used, unless the material, on which the same may be executed, shall bear the endorsement required by Section VII. or Section IX. of this Regulation, as the case may be, and the party shall be able to shew that the material stamped with a forged stamp was purchased, or obtained on the date specified on the back, and from the individual, whose name may be there signed. If the required signature and date shall be duly endorsed on the back of the material stamped as aforesaid, with a forged impression, and the proof adduced to the fact and date of purchase be deemed by the Officer before, or in whose Office the writing may be filed, exhibited, or recorded to be sufficient, the said Officer shall transmit the document to the Collector of Stamps, with a communication of his judgment in the case, and the Collector shall, on payment by the party of one-half the established duty chargeable on account of the matter of the instrument or deed in question, forward it to the Superintendent of Stamps, in order that it may be duly stamped.

Course to be followed, if paper bearing a forged Stamp be duly endorsed.

XIII. If any person shall discover that any deed, instrument, or document in his possession is written on paper, or other material bearing a forged or counterfeit signature or stamp, such paper, or other material bearing the signature and date required by Section VII. or IX. of this Regulation, as the case may be, and shall state the circumstance to the Board of Revenue, or other authority exercising the powers of that Board; the said person shall, on proving to the satisfaction of that Board, or other authority aforesaid, that the paper or other material in question was purchased, or obtained on the date specified on the back, and from the individual whose name may be there signed, be entitled

Persons discovering forged Stamps in their possession how to proceed.

entitled to have the said paper or material duly stampt without any fee or charge.

XIV. No exception shall be taken to any deed, instrument, or other writing, on the ground that the stamp which may have been used, is not of a proper denomination, or rate of duty, provided the stamp or stamps used, equal or exceed in value, the stamp or stamps which, under the provisions of this Regulation, ought to have been used.

No exception on account of over-value.

XV. It shall and may be lawful for the Board of Revenue, the Superintendent of Stamps, and the Collector, or other Officers vested with the charge of Offices established for the sale and distribution of stamps, to summon witnesses, to administer oaths and affirmations, and to take affidavits and affirmations, in all cases where he or they shall respectively think it necessary to administer or take an oath, or oaths, affirmation, or affirmations, in any investigation or enquiry into any case relating to the Stamp Revenue, or in any matter or thing connected therewith.

Board of Revenue, Superintendent of Stamps, and Collector authorized to administer oaths.

SCHEDULE.

SCHEDULE referred to in the Body of the Regulation, containing the Duties chargeable on Instruments of Conveyance, Contract, Obligation, and Security for Money, and on Deeds in general.

	Sa. Rs.	A.
AGREEMENT, or any Minute or Memorandum of an Agreement concerning any matter or thing of the value of five hundred Rupees or upwards, not otherwise charged in this Schedule, nor expressly exempted from all stamp duty, whether the same be only evidence of a contract, or obligatory upon the party.	8	0
EXEMPTIONS.		
Memorandum of Agreement for the hire of labour.		
Ditto for the Sale of Goods, under the value of five hundred Rupees, and all Agreements carried on by letter and the like, between merchants and other persons residing forty miles from each other.		
ASSIGNMENTS, if not of the nature specified under the heads of Conveyances and Settlement, nor specially exempted..	8	0
BILLS OF EXCHANGE, Drafts, Promissory Notes, Hoondies, Teeps, Burats, or other order or obligation; for the payment of money		

							Sa. Rs.	A.
money payable, (if payable within the provinces subordinate to this Presidency) at sight, or at any stated period, not exceeding three months after date, or ninety days after sight, (not being a deed, instrument, or writing, bearing the attestation of one or more witnesses,) together with all Bills of Exchange, payable out of the said provinces at whatever date.								
If for a sum of	Money	not	exceeding		25	Rupees,	0	1
Above	25 Rs.	and not	exceeding		50	„	0	2
„	50 „	.....	Ditto ...		100	„	0	4
„	100 „	.....	Ditto ...		200	„	0	8
„	200 „	.....	Ditto ...		400	„	0	12
„	400 „	.....	Ditto ...		800	„	1	0
„	800 „	.....	Ditto ...		1600	„	1	8
„	1600 „	.....	Ditto ...		3000	„	2	0
„	3000 „	.....	Ditto ...		5000	„	2	8
„	5000 „	.....	Ditto ...		10000	„	4	0
„	10000 „	.....	Ditto ...		20000	„	6	0
„	20000 „	.....	Ditto ...		30000	„	8	0
„	30000 „	.....	Ditto ...		50000	„	12	0
„	50000 „	.....	Ditto ...		100000	„	16	0
„	100000 „	.....	... ...	... ...	...	„	20	0

Promissory Notes written on paper of the above value, shall not be re-issued after payment.

Promissory

Promissory Notes intended to be re-issued, shall be charged as follows.

							Sa. Rs.	A.
If for a sum of Money not exceeding					25	Rupees,	0	2
Above	25	Rs.	and not exceeding		50	„	0	4
„	50	„	.....	Ditto ...	100	„	0	8
„	100	„	.....	Ditto ...	200	„	0	12
„	200	„	.....	Ditto ...	400	„	1	0
„	400	„	.....	Ditto ...	800	„	1	8
„	800	„	.....	Ditto ...	1600	„	2	0
„	1600	„	.....	Ditto ...	3000	„	2	8
„	3000	„	.....	Ditto ...	5000	„	4	0
„	5000	„	.....	Ditto ...	10000	„	6	0
„	10000	„	.....	Ditto	20000	„	8	0
„	20000	„	.....	Ditto ...	30000	„	12	0
„	30000	„	.....	Ditto ...	50000	„	16	0
„	50000	„	.....	Ditto ...	100000	„	20	0
„	100000	„	.....	... ...	... ...	...	32	0

Note. The Governor General in Council reserves to himself the power of admitting any Bank or Company to compound for the stamp duty chargeable on the Notes issued by it.

Notice of such arrangements to be given in the Government Gazette.

Foreign

	Sa. Rs.	A.
Foreign Bills of Exchange, drawn in sets for every Bill of each Set, where the sum made payable thereby may not exceed ... ... 400 Rupees.	0	8
More than 400 Rupees, but not exceeding 800 Rupees,	0	12
„ 800 „ ..... Ditto ... 1600 „	1	0
„ 1600 „ ..... Ditto ... 3000 „	1	8
„ 3000 „ ..... Ditto ... 5000 „	2	0
„ 5000 „ ..... Ditto ... 10000 „	2	8
„ 10000 „ ..... Ditto ... 20000 „	4	0
„ 20000 „ ..... Ditto ... 30000 „	6	0
„ 30000 „ ..... Ditto ... 50000 „	8	0
Exceeding 50000	12	0

EXEMPTIONS.

BILLS OF EXCHANGE drawn and Promissory Notes issued by Government Officers, having authority to draw Bills upon the Government Treasuries, or to issue Promissory Notes, or other Acknowledgements on account of Government.

All Drafts or Orders for the payment of any sum of money on demand, drawn upon any Bank, Banker, or Agent, residing within twenty miles of the place where such Draft or Order shall be issued, such place being specified on the face of the draft.

BILLS OF LADING, of or for any Goods to be Exported, ...	1	0
BILLS OF SALE,		
An Absolute Bill of Sale, ...	See Conveyances.	

Bill

	Sa. Rs.	A.
Bill of Sale, as a security, being the principal or only deed whereby the property is conveyed, ...	See Mortgage.	
Bill of Sale, as a security, being merely a collateral one with some deed or instrument, that has paid the advalorem duty prescribed for conveyances, ...	8	0
BONDS, Tumusooks, Promissory Notes, or other obligation for the payment of money, payable at a period exceeding three months after date, or ninety days after sight.		
If for any sum not exceeding ... ... 25 Rupees,	0	2
Above 25 Rupees and not exceeding 50 „	0	4
„ 50 „ ... Ditto ... 100 „	0	8
„ 100 „ ... Ditto ... 200 „	1	0
„ 200 „ ... Ditto ... 300 „	2	0
„ 300 „ ... Ditto ... 500 „	4	0
„ 500 „ ... Ditto ... 1000 „	6	0
„ 1000 „ ... Ditto ... 2000 „	10	0
„ 2000 „ ... Ditto ... 3000 „	16	0
„ 3000 „ ... Ditto ... 5000 „	20	0
„ 5000 „ ... Ditto ... 10000 „	32	0
„ 10000 „ ... Ditto ... 20000 „	40	0
„ 20000 „ ... Ditto ... 30000 „	50	0
„ 30000 „ ... Ditto ... 50000 „	64	0
„ 50000 „ ... Ditto ... 75000 „	70	0
„ 75000 „ ... Ditto ...100000 „	80	0
„ 100000 „ ... Ditto ...150000 „	100	0
„ 150000 „ ... Ditto ...200000 „	120	0
„ 200000 „	150	0

BONDS,

	Sa. Rs. A.
BONDS, concerning Respondentia and Bottomry, ...	Advalorem as above
BONDS, given as Security for the transfer of Government Securities, or for the payment of an Annuity, for a fixed period, or for the delivery or accounting for any matter or thing capable of being valued, ...	Shall be charged at the rate of the amount engaged to be paid, or accounted for, or at the value of the thing to be delivered or transferred.
BONDS, for Annuities for an indefinite period, such as Life Annuities and the like, ...	Shall be charged at the rate of 10 times the yearly payment.
BONDS, where the amount of the money to be secured or ultimately recovered, shall be uncertain and unlimited,	150 0
Where the amount is limited to a certain sum, ...	The same as on a Bond for such limited sum.
BONDS, taken as Collateral Security with some deed or instrument, that has paid the advalorem duty, prescribed for conveyances or money Bonds, or as security for the performance of any other contract, covenant or agreement, not being for the payment of money, the transfer of property, or the satisfaction of any pecuniary demand.	8 0
BONDS of Indemnity.	
BONDS, for the due execution of an office or work, and all other Bonds not otherwise charged or exempted from duty.	

EXEMPTIONS.

	Sa. Rs.	A.
EXEMPTIONS.		
ARBITRATION BONDS.		
BONDS, given to or by the Officers of Government on account of any matter, or thing of, or belonging to the Government in its Political or Territorial capacity.		
SECURITY BONDS, which may be taken by or by order of any Court, Collector or other Judicial or Revenue authority, Razeenamahs, Sooluhnamahs and Ruffanamahs, filed in any suit pending in a Court of Justice, shall be charged as prescribed in the Regulations already in force or hereafter to be enacted.		
CHARTER PARTIES, or any Agreement or Contract for the charter of any ship or vessel or any Memorandum, Letter or other writing between the Captain, Master or Owner of any ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods or effects on board of such ship or vessel, ...	8	0
EXEMPTIONS.		
Charter Parties of ships or vessels taken up by Government for the conveyance of Troops or Military Stores, or for other Political purposes,		

CONTRACTS

	Sa. Rs.	A.
CONTRACTS OR DEEDS, if not otherwise charged nor exempted from duty		
COPARTNERSHIP, Deeds of . . .	8	0
COMPOSITION, Deeds or other Instruments of composition between a debtor or debtors and his, her or their creditors		

CONVEYANCES, whether grant, disposition, assignment, transfer, renunciation, or of any other kind or description whatsoever upon the sale of any lands, tenements, rents, annuities or other property real or personal, heritable or moveable, or of any right, title, interest, or claims in, to, out of, or upon any lands, houses, rents, annuities, or other property, that is to say, for or in respect of the principal or only deed, instrument, or writing, whereby the property sold shall be conveyed to or otherwise vested in the purchaser or purchasers, or to some other person, by his or their direction.

Where the purchase or consideration-money therein expressed or denoted, shall not exceed					...	...	50	Rupees,	0 8
Above	50	Rupees	and not exceeding,				100	„	1. 0
„	100	„	...	Ditto	...		200	„	2 0
„	200	„	...	Ditto	...		500	„	4 0
„	500	„	...	Ditto	...		1000	„	8 0
„	1000	„	...	Ditto	...		2000	„	12 0
„	2000	„	...	Ditto	...		3000	„	16 0
„	3000	„	...	Ditto	...		5000	„	20 0

Above

									Sa. Rs.	A.
Above	5000	Rupees	and not exceeding			8000	Rupees,		32	0
„	8000	„	...	Ditto	...	12000	„		40	0
„	12000	„	...	Ditto	...	20000	„		50	0
„	20000	„	...	Ditto	...	30000	„		64	0
„	30000	„	...	Ditto	...	50000	„		80	0
„	50000	„	...	Ditto	...	100000	„		100	0
„	100000	„	...	Ditto	...	200000	„		150	0
and for every further Lack of Rupees beyond 2 Lacks,...									100	0

Note. Where, of several deeds, instruments, or writings, a doubt shall arise, which is the principal, it shall be lawful for the parties to determine for themselves, which shall be so deemed, and to engross the same on paper, parchment, vellum, or the like, stamped for the prescribed advalorem duty—provided, however, that in all cases, where there are more deeds than one, all other deeds than the principal shall be charged with a stamp duty of eight Rupees, and all such deeds shall specify by their contents, which other is the principal deed, by which the conveyance has been effected,—certifying, that it is executed in the manner and on the material stamped as required.

EXEMPTIONS.

All grants, leases, sales, or the like, wherein Government, in its Political or Territorial capacity, is a party.

[*Note.* This exemption shall not extend to sales made for the recovery of arrears of revenue or rent, or in satisfaction of

decrees

	Sa. Rs.	A.
decrees of court, in which cases the purchaser shall be required to pay the prescribed duty along with the purchase money, —and shall receive from the officer conducting the sale, a deed of sale executed on paper impressed with a corresponding stamp.]		
All tranfers of subscriptions to any of the Government Loans or other Government Securities—also of Bank shares.		
COPIES. Copy in any manner authenticated, or declared to be a true copy, or made, for the purpose of being given in evidence, as a true copy of any bond, deed, or instrument of agreement, contract, conveyance, or of any deed or instrument whatsoever chargeable with a stamp duty.		
Where such copy shall be made for the security or use of any person being a party to, or taking any benefit or interest, immediately under such agreement, contract, bond, deed, or other instrument, ...	The same duty as for the original instrument.	
Where such copy shall be made for the security or use of any person not being a party to, or taking any benefit or interest, immediately under such agreement, contract, bond, deed, or other instrument, ...	8	0
Likewise, any copy authenticated, or made as aforesaid of any Schedule, receipt, or other matter put or endorsed on, or annexed to any such agreement, contract, bond, deed, or other instrument aforesaid, ...	8	0

Note.

	Sa. Rs.	A.
Note. Authenticated copies of any records, letters, accounts, statements, reports, or other writings furnished to individuals, from any of the Public Offices of Government, in Calcutta, shall be written on paper of the value, for each and every sheet, of	0	8

EXEMPTIONS.

Copies made for the private use only of any person having the custody of the original instruments, or of his or her attorney or solicitor.

Copies of papers, which Public Officers are directed by any general Regulation, to make, require, or furnish—not specially declared chargeable with stamp duty.

Copies of Proceedings and Decrees of the Sudder Dewanny Adawlut, which shall be charged in the manner, and subject to the conditions prescribed in Regulation I. 1814, and other subsequent Regulations.

DEEDS, of any kind, not otherwise particularized in this Schedule,	8	0
EXCHANGES. Any deed, whereby any real property shall be conveyed or surrendered in exchange for other property.		
If no sum of money shall be paid or agreed to be paid, for equality of exchange, ...	8	0
And if any sum of money be paid or agreed to be paid for equality of exchange, ...	The same advalorem duty as for a conveyance for such sum.	

ENGAGEMENTS,

	Sa. Rs.	A.
ENGAGEMENTS, to cultivate, provide or deliver Indigo plant, or to produce manufacture, provide or deliver any other article of commerce, in consideration of advance made, ...	Shall be charged on the amount advanced at the rate of Bonds or other obligations for the payment of money payable at a period exceeding three months after date.	
LEASES. Any lease made in perpetuity, or for a term of years, or period determinable, with one or more lives, or otherwise contingent, in consideration of a sum of money paid in the way of premium, fine, or the like, if without rent, ...	The same duty as for a conveyance or sale for a sum of the amount of such consideration.	
Any lease of lands, houses, or other real property, at a yearly rent, without any payment of any sum of money, by way of fine or premium.		
Where the yearly rent shall exceed twelve Rupees, but shall not exceed . . . . 24 Rupees,	0	8
Exceeding 24 Rs., but not exceeding 50 „	0	12
„ 50 „ ... Ditto ... 100 „	1	0
„ 100 „ ... Ditto ... 250 „	2	0
„ 250 „ ... Ditto ... 500 „	4	0
„ 500 „ ... Ditto ... 1000 „	8	0
„ 1000 „ ... Ditto ... 2000 „	12	0
„ 2000 „ ... Ditto ... 4000 „	16	0
„ 4000 „ ... Ditto ... 6000 „	20	0
„ 6000 „ ... Ditto ... 10000 „	32	0
„ 10000 „ ... Ditto ... 50000 „	64	0
Above 50000 „	80	0

Any

	Sa. Rs.	A.
Any lease of lands, houses, or other real property stipulating for a yearly rent, and granted in consideration of a fine or premium, ...	Shall be charged with both advalorem duties above provided.	
The counter part of any lease, charged with a duty exceeding eight Rupees, shall likewise be executed on paper, vellum, or parchment, bearing a stamp of . . .	4	0

EXEMPTIONS.

All leases, where the annual rent shall not exceed twelve Rupees.

All leases or pottahs given by authority of Government, or of the Board of Revenue.

LETTERS, or Powers of Attorney, or Commission or Factory in the nature thereof.

Powers to perform any one special, that is to say, particular act, or the acts connected with one particular suit, case or transaction, or sundry acts to be done, after a manner specified in the instrument, ...	2	)
General, ...	4	0

EXEMPTIONS.

Wukalutnamahs executed to regular pleaders of the Sudder Dewanny Adawlut, or any of the Subordinate Courts of Judicature, authorizing them to prosecute or defend suits therein pending,

	Sa. Rs.	A.	
pending, or to present, or make any miscellaneous petition, application, or motion to the Court, which are to be charged as prescribed in Regulation I. 1814.			
LETTERS OF LICENSE, from Creditors to Debtors, . . .	8	0	
MORTGAGES, any deed of mortgage, or conditional sale, with or without possession given of any lands, estate, or property, real or personal, intended as a security for money due or to be lent thereupon, also any deed or contract accompanied with a deposit of title deeds to any property, where the same may be made as a security for payment of money due or lent at the time, . . .			Shall be charged after the same manner and at the same rates, as if in lieu of such deed of mortgage, or the like, a Bond had been taken for the sum due or lent at the time.
DEEDS OF MORTGAGE, or the like, given as security for the transfer of Government Securities, or for the payment of an Annuity, for a fixed period, or the delivery at a future date of any matter or thing capable of being valued,			Shall be charged at the rate of the total amount assured or of the bonâfide value.
DEEDS OF MORTGAGE given for the security of Annuities for an indefinite period, such as Life Annuities, and the like,			Shall be charged at the rate of ten times the annual payment.
Where the total amount secured by such mortgage is unlimited, ...	150	0	
Where it may be stipulated that the amount secured by such mortgage shall not exceed a certain sum, . . .			At the rate of such limitation.

Note.

	Sa. Rs.	A.
Note.—Where a Bond may have been already taken for the amount secured, or where, from any other cause, the mortgage shall act merely as collateral security to some other transaction already charged with the advalorem duty thereupon, the same being specified in the body of the deed of mortgage, ...	8	0
Likewise in case of there being more deeds than one required to execute the mortgage in the manner desired by the parties, the principal deed only shall be charged with the advalorem duty, and all other deeds connected with the same transaction, ...		
Acknowledgements, or Promissory Notes, granted to the Treasurer, or other Officer of the Bank of Bengal, on account of the Bank, or to any private Banker or Agent for Loans or advances made on the Deposit of Government Securities, Bullion, Plates, Jewels, or other Goods, and payable within three months after date, shall be charged as Promissory Notes. If payable at a date exceeding three months, shall be charged as deeds of mortgage.		
PARTITION. Any deed of partition of real or personal property, adjusted by mutual agreement amongst co-heirs, coparceners, or the like, ...	8	0
And if any sum or sums of money shall be paid or agreed to be paid for equality of partition, ...	The principal deed stipulating for such payment, shall be charged with the advalorem duty prescribed for a conveyance or sale for an equal sum.	

POLICY

	Sa. Rs.	A.
POLICY OF ASSURANCE, or Insurance, or other Instrument by whatever name the same shall be called, whereby an Insurance shall be made upon any life or lives or upon an event depending upon any life or lives.		
Where the sum ensured shall not exceed Sa. Rs. 5000	4	0
Exceeding 5000 not exceeding, ... „ 10000	8	0
„ 10000 ... Ditto ..... „ 20000	12	0
„ 20000 ... Ditto ..... „ 50000	16	0
Above „ 50000	20	0
POLICY OF INSURANCE, of any ship, vessel, sloop, lighter, boat, or the like, any goods or property on board, or upon the freight of any ship, vessel, sloop, lighter, boat, or the like, or upon any other interest relating thereto, or upon any voyage, where the premium shall not exceed two per Cent. on the sum insured, if the whole sum insured shall not exceed one thousand Rupees, ...	0	8
If the sum insured exceed one thousand Rupees, then for every one thousand Rupees, and also for any fractional part of one thousand Rupees, whereof the same shall consist, . .	0	8
Where the premium shall exceed two per Cent. on the sum insured, if the whole sum shall not exceed one thousand Rupees,	1	0
If the sum insured exceeds one thousand Rupees, then for every one thousand Rupees, and also for any fractional part of one thousand Rupees, whereof the same shall consist, . .	1	0

PROMISSORY

	Sa. Rs.	A.
PROMISSORY NOTES, payable to the bearer on demand, at sight, or at any stated period, not exceeding three months after date, or ninety days after sight, . . — See Bills of Exchange.		
PROMISSORY NOTES, payable at a period exceeding three months after date, or ninety days after sight, . . — See Bonds.		
PROMISSORY NOTES, for the payment of any sum by instalments, or for the payment of several sums at different dates, so that the whole of the money to be paid, shall be definite and certain, ... — The same duty as would be chargeable on a Bond for the whole amount.		

All receipts for money deposited in any Bank, or in the hands of any Banker or Agent, if the same shall stipulate for the payment of interest upon the money so deposited, or in hand, shall be deemed and taken to be Promissory Notes.

RECEIPTS OR DISCHARGES given for, or upon the payment of any sum of money not exceeding 32 Rupees, . .						0	1
Exceeding	32	Rupees	not exceeding	100	Rupees,	0	2
„	100	„	Ditto	200	„	0	4
„	200	„	Ditto	500	„	0	8
„	500	„	Ditto	1000	„	0	12
„	1000	„	Ditto	2000	„	1	0
„	2000	„	Ditto	3000	„	1	8
„	3000	„	Ditto	5000	„	2	0
„	50a0	„	Ditto	8000	„	2	8
			Above ...	8000	„	4	0
Also for a receipt in full of all demands, ...						4	0

And

Sa. Rs. A.

And any instrument, note, memorandum, or writing, given upon the payment of money, whereby any money, debt, or demand, or the part thereof therein specified, shall be expressed, or acknowledged to have been paid, settled, or otherwise satisfied, shall be deemed to be a receipt for the amount so declared, to be paid or satisfied.

And if any such instrument or other writing shall contain a general acknowledgment of the settlement of debts, accounts, or other demands, without specifying the amount thereof, such instrument or writing shall be deemed, and taken to be a receipt in full of all demands, and charged accordingly,

And if payment be made by delivery of a bill or bills of exchange, draft or drafts, promissory notes, or the like securities of money, the receipt or acknowledgment given thereupon, shall be deemed to be a receipt within the meaning of this Schedule.

EXEMPTIONS.

Receipts for money paid or received by any Officer of Government on account of Government.

Receipts or Discharges given for the purchase money of any Government Securities, or shares of the Bank of Bengal.

Receipts and Discharges given for money deposited in any Bank, or with any Agent, to be accounted for on demand, provided no interest be stipulated as payable thereon.

If

Sq. Rs. A.

If interest be stipulated, such receipt shall be chargeable as a promissory note.

Receipts or discharges written upon promissory notes, bills of exchange, drafts, or orders for the payment of money duly stamped.

Letters by the Post, acknowledging the arrival of any promissory notes, bills of exchange, or other securities for money.

Receipts or discharges written upon or contained in any bond, mortgage, or other security, or any conveyance, deed, or other instrument duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured.

SETTLEMENTS.

Any deed or instrument, whereby any sum or sums of money, or any Government Securities, or other property, real or personal, shall be settled or agreed to be settled upon, or for the benefit of any person or persons in any manner whatsoever, ...

Shall be charged with the advalorem duty chargeable for a Bond for the amount or value settled or agreed to be settled, or in cases in which the value shall be indeterminate, at the rate of one hundred Rupees.

Deeds of gift and dower, whether to take effect on the instant, or at a future period, determinate or indeterminate, shall be charged as deeds of settlement.

EXEMPTIONS.

Sa. Rs. A.

EXEMPTIONS.

Wills, testaments, and the like, together with deeds merely declaratory of trust, pursuant to any previous settlement, deed, or will.

GENERAL EXEMPTIONS.

Deeds, instruments, and writings of any kind, in which Government or any Board, Commission, Court or public officer may, in a public capacity, be a party, save and except deeds, instruments, and writings relating to matters of, or belonging to the Commercial Department, shall not be chargeable with any stamp duty.

TITLES

OF THE

REGULATIONS,

PASSED IN THE YEAR

1827.

A REGULATION *for rescinding Regulation I.* 1796, *and providing a special form of Trial, for the Mountaineers of Bhaugulpore, also for investing the Magistrate of Bhaugulpore with Summary Powers, for the adjustment of certain Civil Claims.—Passed by the Vice President in Council, on the 8th March,* 1827.

REGULATION II.

A REGULATION *to legalize certain criminal trials, held in the Division of Bareilly.—Passed by the Vice President in Council, on the 17th May,* 1827.

REGULATION III.

A REGULATION *for modifying and amending the Rules in force, relative to the Law Officers and Ministerial Native Officers*

Officers of the Courts of Judicature, who may be guilty of Corruption or Extortion.—Passed by the Governor General in Council, on the 1st November, 1827.

REGULATION IV.

A REGULATION *for extending, in special cases, the powers of Sudder Aumeens, in the Trial and Decision of Civil Suits.—Passed by the Governor General in Council, on the 27th December,* 1827.

REGULATION V.

A REGULATION *for modifying the rules at present in force for the management of Estates, under attachment by orders of the Courts of Justice in certain cases.—Passed by the Governor General in Council, on the 27th December,* 1827.

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Police—see Bhaugulpore.
Provincial Courts—see Sudder Ameens.
Public Treasury—see Native Officers.
Register—see Sudder Ameens.
Stamp Papers—see Bhaugulpore.
Sudder Dewanny Adawlut—see Bhaugulpore—Sudder Ameens.
Summary Trial—see Bhaugulpore.

ALTERATIONS,

ALTERATIONS, MODIFICATIONS, EXTENSIONS, RESCISSIONS, &c.

Regulations Altered.				By what Regulation.		
Regulation.	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793						
XII.	VIII.	*First.*	Modified	III.		
XIII.	IX.	*Eighth.*				
1796						
I.	———	———	Rescinded	I.	II.	*First.*
1799						
V.	V.	———	Modified	V.	III.	
———	VI.	———		———	IV.	
1803						
III.	XVI.	*Fifth.*	Modified	V.	III.	
———	———	*Sixth.*		———	IV.	
1812						
V.	XXVI.	———	Modified	V.	III.	
———	XXVII.	———		———	IV.	
1813						
VI.	V.	*Third.*	Modified	V.	III.	
				———	IV.	
1814						
XXIV.	VII.	*First.*	Partly Rescinded	IV.	II.	*Second.*
1817						
XVIII.	VI.	*Second.*	Modified	III.		
1821						
II.	V.	*Second.*	Partly Rescinded	IV.	II.	*Second.*

	Regulation.	*Section.*	*Clause.*
ATTACHMENT.			
Rules for the issue of Precept for holding Estates under Attachment and for appointing Managers, ...	V.	III.	
BAREILLY.			
Trials illegally held legalized, ...	II.	II.	
BHAUGULPORE.			
The Hill people at Bhaugulpore amenable to the Jurisdiction of the Criminal Courts, and subject to the Ordinary System of Police in like manner as the Inhabitants of the other Territories. In lieu of Mahomedan Law Officers, Committee of Hill Mangees to sit as Assessors on the Trial of any Natives of the Hills of Bhaugulpore.			

The

	Regulation.	Section.	Clause.
The Nizamut Adawlut how to act in cases of Trials that may be referred to them, ...	I.	II.	*First.*
The Magistrate to keep a Register of Mangees eligible to attend the Sessions and how to act when individuals of the Hill-race are to be tried before the Judge of Circuit.			
Prisoner shall be competent to challenge any of the first chosen Assessors, ...	——	——	*Second.*
Magistrate of Bhaugulpore to try summarily and adjudge claims for Money or personal Property where the value does not exceed One Hundred Rupees, and the cause of action may not be of more than one year's standing, ...	——	III.	*First.*
Also to try claims regarding the situation of Mangee and the right of possession in any Hills, ...	——	——	*Second.*
Likewise to decide summarily claims for Money between the Hill-people and Inhabitants of the Low Lands, ...	——	——	*Third.*
The rules of Process and Forms of Proceeding to be observed by the Magistrate in cases of Assault and the like, and the use of Stamp Paper.			
The award of the Magistrate how to take effect and be executed and costs defrayed, ...	——	——	*Fourth.*
In cases of doubt claims may be referred by the Magistrate to Arbitration to the Hill Chiefs, ...	——	——	*Fifth.*
Appeal from the Magistrate may be presented in a Petition to the Judge of Circuit bearing the usual Stamp.			
The Judge of Circuit how to act on the Petition.			
Power of the Nizamut Adawlut to reverse, alter, or amend the Award, ...	——	——	*Sixth.*
The Magistrate to submit to the Sudder Dewanny Adawlut Monthly Statements of the number of Claims instituted and disposed of by him, ...	——	——	*Seventh*
Above rules not applicable to the Pergunnah of Bheelputta, the inhabitants of that Pergunnah subject to the General Code of Regulations, ...	——	IV.	
NATIVE OFFICERS.			
No fine to be awarded for the offence of Corruption or Extortion, ...	III.	III.	
Criminal Prosecution not to depend on the Civil Action or its result, ...	——	IV.	

Record

	Regulation.	Section.	Clause.
Record-Criminal Conviction sufficient for compelling the refund of property corruptly taken or extorted,	III.	V.	
Amount of embezzlement to be paid in the first instance from the public Treasury, ...	———	VI.	
SUDDER AMEENS.			
The Sudder Dewanny Adawlut competent to invest Sudder Ameens with powers to try original suits in which the amount of claim may not exceed One Thousand Rupees, ...	IV.	II.	*First.*
Sudder Ameens may try suits in which British European subjects, or European foreigners or Americans may be parties, ...	———	———	*Second.*
Judges may refer to a Sudder Ameen suits in which the claim may not exceed One Thousand Rupees,	———	———	*Third.*
Suits referred to a Sudder Ameen under the preceding Clause, shall be tried under the provisions of Regulation XXIII. 1814, ...	———	———	*Fourth.*
Appeals from Sudder Ameen, in cases exceeding Five Hundred Rupees, shall not be referred to a Register,	———	———	*Fifth.*
The Provincial Courts to report to Government the proposed appointment of an additional Sudder Ameen, or a reduction in the number of Sudder Ameens, ...	———	III.	

A. D. 1827. REGULATION I.

A REGULATION *for rescinding Regulation I. 1796, and providing a special form of trial, for the Mountaineers of Bhaugulpore, also for investing the Magistrate of Bhaugulpore with Summary Powers, for the adjustment of certain Civil Claims. Passed by the Vice President in Council, on the 8th March 1827; corresponding with the 25th Phaugoon 1233 Bengal Era; the 25th Phaugoon 1234 Fussily; the 27th Phaugoon 1234 Willaity; the 10th Phaugoon 1883 Sumbut; and the 9th Shawan 1242 Higeree.*

Preamble.

THE considerations which originally suggested the expediency of constituting a separate tribunal, composed of Hill Chiefs, for the trial of crimes and misdemeanors, committed by individuals belonging to the Hill Tribes, appear to be no longer applicable to the existing state of things, and it has been deemed expedient to assimilate the forms and rules, for the administration

administration of criminal justice, between the inhabitants of the Hills, and those of the Plains, and in lieu of the present imperfect system, to introduce among them the rules contained in the general Code of Regulations, subject only to the distinction, that the Futwa, or opinion as to the guilt, or innocence of a person under trial before the Court of Circuit, or as to the law applicable thereto, shall be declared by assessors of their own race, instead of being recorded by the Mahomedan Law Officer of the Court. It has further been deemed expedient, to invest the Magistrate of Zillah Bhaugulpore, with summary powers, with a view to the speedy adjustment of particular claims of frequent recurrence among that class of people, and to encourage, on their part, a resort to the constituted authority for the redress of their civil grievances; the following Rules have accordingly been enacted by the Vice President in Council, to be in force from the period of their promulgation.

Regulation I. 1796, rescinded—and the people of the Hills of Bhaugulpore, to be amenable to the jurisdiction of the Criminal Courts, and subject to the ordinary system of Police, in like manner as the inhabitants of the other territories. In lieu of the Mahomedan Law Officers of the Court, a Committee of Hill Manjees shall sit as Assessors on the trial of any Natives of the Hills of Bhaugulpore.

II. *First.* Regulation I. 1796, is hereby rescinded, and the inhabitants of the Hills in the district of Bhaugulpore, shall be considered, to all intents and purposes, amenable to the jurisdiction of the Criminal Courts, and subject to the ordinary system of Police, in like manner as the inhabitants of the other territories immediately dependent upon the Presidency of Fort William. Provided, however, that in all cases, where it may be prescribed by the existing Regulations, that the Mahomedan Law Officer of the Court conducting a trial, shall declare by a written Futwa, his opinion as to the guilt, or innocence of a party under trial, or the law as applicable to the case, the provisions of the said Regulation shall not apply to any case in which a Native of the

the Hills of Bhaugulpore, may be under trial. But in lieu of such Law Officer, a Committee of Hill Manjees, not being less than three in number, shall sit as assessors on the trial, and declare their opinion thereon, according to the laws and customs of the Hills, subject to the approval and confirmation of the Judge of Circuit conducting the trial, in the manner provided by the existing rules in regard to the Futwas of Mahomedan Law Officers. Provided further that in cases of the above nature referred to the Nizamut Adawlut, that Court shall pass sentence, or otherwise dispose of a trial so referred, according as to their judgment shall seem best, without referring the same to the Law Officers of the Court, and the concurring opinions of two Judges of the Nizamut Adawlut shall suffice for the disposal of any such case, and for the issue of any sentence awarded thereon.

The Nizamut Adawlut how to act in cases of trials that may be referred to them.

Second. The Magistrate of the district shall keep a Register of Manjees eligible to the duty referred to in the preceding clause of this Section, and on each occasion of a Sessions of Jail delivery, when there may be individuals of the Hill race for trial, he shall summon a certain number of Manjees, not being less than twelve to attend the Sessions, and any three or more of these selected by ballot or otherwise, as the Judge on Circuit may deem most proper and convenient, shall be competent to sit on the trial in the manner above described: Provided, however, that any prisoner for trial shall be competent to challenge and object to any one, or to all of the three or more first chosen, and in that case, a second set shall be similarly provided, who shall not be liable to challenge, except upon good

The Magistrate to keep a Register of Manjees eligible to attend the Sessions, and how to act when individuals of the Hill race are to be tried before the Judge on Circuit.

Prisoner shall be competent to challenge any of the first-chosen Assessors.

good ground shewn to the satisfaction of the Judge holding the trial.

The Magistrate of Bhaugulpore to try summarily and adjudge claims for Money or personal property, where the value do not exceed one hundred Rupees, and the cause of action may not be of more than one year's standing.

III. *First.* The Magistrate of Bhaugulpore is hereby authorized to try summarily, and adjudge all claims for money or personal property arising between the Hill people, residing within the limits of the Hill divisions, provided the amount or value of the same do not exceed one hundred Rupees, and provided the cause of action shall not have been of more than one year's standing.

Also to try and adjudge claims regarding the situation of Manjee, and the right of possession in any Hills.

Second. Under the same limitation of time, the Magistrate is likewise hereby authorized to try and adjudge all claims regarding the situation of Manjee, and the right of possession in any hills, and likewise any disputes respecting the limits of the same.

Likewise to decide summarily claims for money which may arise in the Bhaugulpore district, between the Hill people, and the inhabitants of the low lands.

Third. The Magistrate is further hereby authorized to decide summarily on all claims for money, and personal property (not exceeding in amount or value the sum of one hundred Rupees) which may arise in the Bhaugulpore district (subject to the above specified limitation in point of time) between the Hill people, and the inhabitants of the low lands.

The rules of process and forms of proceeding to be observed by the Magistrate in cases of assault and the like, and the use of Stamp Paper.

Fourth. In the discharge of the above duties, the Magistrate shall observe the rules of process and forms of proceeding prescribed and practised in the investigation and decision of cases of assault and the like, all petitions connected with cases cognizable under the rules of this Section, shall be written on

paper

paper bearing the usual stamp for petitions, presented in the Magistrate's Court, and in the summoning and examination of witnesses as well as in all cases of resistance, contempt, or evasion of process, during the investigation of the cases in question, the provisions of the existing Regulations applicable to cases arising in the Court of the Magistrate shall apply and regulate the course of proceeding. Provided, however, that upon award being made by the Magistrate adjudging any sum to be due, or determining the right of any party in a Hill tenure or other interest or possession, the award shall take effect, and be executed as a decree of a Civil Court, and the final proceeding of the Magistrate in the case shall similarly determine in what manner and by whom the costs, if any, shall be defrayed.

The award of the Magistrate how to take effect and be executed, and costs defrayed.

Fifth. It shall be competent to the Magistrate, whenever in a case of doubt, or for any other reason he may so judge fit, to refer a claim brought before him under the rules of this Section, to the arbitration of any given number of Hill Chiefs he may deem proper to appoint, not being less than three.

In cases of doubt, claims may be referred by the Magistrate to arbitration to the Hill Chiefs.

Sixth. Any party deeming himself aggrieved by the award of a Magistrate passed under the preceding rules of this Section shall be competent to bring the matter by petition, bearing the usual stamp for petitions presented to the Court of Circuit, before the Judge of Circuit holding the next ensuing Sessions of Jail delivery for the district. The Judge so holding the Circuit shall, on receipt of such petition, call for the papers and proceedings, and hold such further investigation as he may deem necessary to satisfy himself as to the merits of the award made by the Magistrate.

Appeal from the Magistrate's award may be presented in a petition to the Judge of Circuit, bearing the usual stamp.

The Judge of Circuit how to act on the petition.

Magistrate. Should he deem the same erroneous, or should the proceedings of the Magistrate be found irregular or improper in any respect, a report of the case, with the whole proceedings annexed, shall be submitted to the Nizamut Adawlut, who shall be competent to reverse, alter, or amend, the award in any manner that may be deemed proper, and to issue any orders upon the subject that may appear expedient.

Power of the Nizamut Adawlut to reverse, alter, or amend the award.

Seventh. It shall be the duty of the Magistrate to submit Monthly Statements to the Sudder Dewanny Adawlut of the number of claims instituted and disposed of by him under this Section.

The Magistrate to submit to the Sudder Dewanny Adawlut Monthly Statements of the number of claims instituted and disposed of by him.

IV. The provisions of the above Section shall not be held applicable to the Pergunnah of Bheel Putta, and the inhabitants of that Pergunnah shall be considered subject to the rules contained in the General Code, both in matters of Civil and Criminal Jurisdiction.

The above rules not applicable to the Pergunnah of Bheel Putta, the inhabitants of that Pergunnah subject to the General Code of Regulations.

A. D. 1827. REGULATION II.

A REGULATION *to legalize certain criminal trials, held in the Division of Bareilly.—Passed by the Vice President in Council, on the 17th May* 1827, *corresponding with the 5th Jeyte* 1234 *Bengal Era; the 6th Jeyte* 1234 *Fusly; the 6th Jeyte* 1234 *Willaity; the 7th Jeyte* 1884 *Sumbut; and the 20th Shawal* 1242 *Higeree.*

PREAMBLE.

WHEREAS the Judges of Circuit for the Division of Bareilly, in discharging the duties of the Circuit for the Sessions of the years 1824, 1825 and 1826, did, without the authority of Government or the Nizamut Adawlut, as required by the Provisions of Regulation VIII. 1822, try and decide sundry cases of the Calendars of Boolundshuher, Mozuffernugger, and Nugeena, at the stations of Meerut, Moradabad, and Alligurh; and whereas to quash those trials, and direct a re-trial of the numerous acquitted and convicted Prisoners, would be

be attended with obvious and heavy inconvenience to the Prosecutors, Witnesses, and all other Persons concerned, the Vice President in Council has enacted the following Regulation.

The trials illegally held are hereby legalized.

II. All the trials adverted to in the Preamble of this Regulation, whether they may have terminated in the acquittal of the Prisoners, or their punishment, without reference to the Nizamut Adawlut, or in a reference of the case to the Nizamut Adawlut, or in a postponement of the trial to another Session, shall be held, and are hereby declared, to be in every respect, and to all intents and purposes, as good and valid trials, as they would have been, had they been held in established course, at the stations where the Prisoners were committed, or at the stations where they were actually held with the sanction required by Regulation VIII. 1822.

A. D. 1827. REGULATION III.

A REGULATION *for modifying and amending the Rules in force, relative to the Law Officers and Ministerial Native Officers of the Courts of Judicature, who may be guilty of Corruption or Extortion:—Passed by the Governor General in Council on the* 1*st November*, 1827, *corresponding with the* 17*th Kautick* 1234 *Bengal Era; the* 27*th Kautick* 1235 *Fusly; the* 18*th Kautick* 1235 *Willaity; the* 13*th Kautick* 1884 *Sumbut; and the* 10*th Rubeeussanee* 1243 *Higeree.*

WHEREAS, it has been deemed expedient to modify and amend the Rules adverted to in the Title of this Regulation, the following Rules have been enacted to be in force, as soon as promulgated, throughout the Provinces dependent on the Presidency of Fort William. PREAMBLE.

II. Clause First, Section VIII. Regulation XII. 1793, Clause Eight, Section IX. Regulation XIII. 1793, (extended Former Rules modified.

to

to Benares by Regulations XI. and XII. 1795, and re-enacted for the Upper Provinces, by Regulations XI. and XII. 1803,) and Clause Second, Section VI. Regulation XVIII. 1817, are declared subject to the following modifications.

No fine to be awarded in the Civil Court, for the offence of corruption or extortion.

III. Whenever any Native Ministerial Officer, of any Civil or Criminal Court, or any Hindoo or Mahomedan Law Officer, against whom an action may have been brought in the Civil Court, to recover money or property, extorted or corruptly taken, shall be proved to have received or taken the whole, or any part of the money or property which he may be charged with having received or taken, the Court is to adjudge him to refund the amount of the money, or value of the property, which he may be proved to have so received or taken, with interest, when it may be a case of money taken, at such rate not exceeding Twelve per Cent. per Annum, as to the Court may appear equitable, and to pay full costs to the Plaintiff in the suit. The Court shall not, in such case, be competent to award any fine against the Defendant.

Criminal prosecution not to depend on the Civil action, or its result.

IV. Any Law Officer or Ministerial Native Officer, charged with corruption or extortion, against whom there may appear to be sufficient grounds for a criminal prosecution, shall be liable to such prosecution, as laid down in Clause Second, Section VI. Regulation XVIII. 1817, whether the civil action provided for in Section III. of this Regulation, shall have been brought or not; and whatever, if brought, may have been its result.

V. From

V. From and after the date of this Regulation, it shall not be necessary for any party, from whom money or property may have been corruptly taken or extorted, to institute a civil action for the recovery thereof; but on proof of the charge, in a criminal prosecution, for those offences, a certified copy of the conviction by a Court of Circuit, or the Nizamut Adawlut, shall be received as sufficient authority for enforcing the refund of the amount or value so taken with interest, on application to that effect being preferred by the aggrieved party, to the Civil Court, on the Stamp paper prescribed for miscellaneous petitions.

Record of Criminal conviction sufficient for compelling the refund of property corruptly taken or extorted.

VI. Whenever it may be established by the process described in Section VII. Regulation XVIII. 1817, that any Native Officer attached to a Civil or Criminal Court, may have embezzled any money or other property, duly paid into or deposited in the Court to which he is attached; or regularly received by him in his official capacity, in execution of a decree, or on account of a deposit, or on any other account whatever, it shall be the duty of the European controlling authority to refund to the party or parties, whose property may have been so embezzled, the amount or value of the embezzlement, from the Public Treasury, in the first instance, without reference to the solvency or otherwise of the defaulter or his surety; the Government reserving to itself the right of adopting such measures, for the recovery of the money so refunded, as may be deemed expedient, with reference to the nature and circumstances of each case.

Amount of embezzlement to be paid, in the first instance, from the Public Treasury.

A. D. 1827. REGULATION IV.

A REGULATION *for extending, in special cases, the powers of Sudder Aumeens in the Trial and Decision of Civil Suits.—Passed by the Governor General in Council on the 27th December* 1827, *corresponding with the* 13*th Poose* 1234 *Bengal Era; the* 24*th Poose* 1235 *Fusly; the* 14*th Poose* 1235 *Willaity; the* 10*th Poose* 1884 *Sumbut; and the* 7*th Jumadee-us Sanee* 1243 *Higeree.*

PREAMBLE.

WHEREAS the heavy accumulation of Civil Suits in many of the Zillah and City Courts, renders it essential to the Administration of Justice that the powers at present exercised by the Sudder Aumeens should be augmented. And whereas it has been deemed expedient to rescind such parts of the Regulations as declare, that no suit shall be referred for Trial and Decision to a Sudder Aumeen in which a British European subject, or an European Foreigner, or an American, may be a party; the following Rules have been enacted to be in force from the date of their promulgation, throughout the Territories subject to the Presidency of Fort William.

II. *First.*

The Sudder Dewanny Adawlut, competent to invest Sudder Aumeens with powers to try original suits, in which the amount of claim may not exceed a thousand Rupees.

II. *First.* It shall be competent to the Sudder Dewanny Adawlut to invest any person, exercising the functions of a Sudder Aumeen at the Station where the Zillah or City Court is held, with the power to try and determine original suits, in which the value or amount of the claim may not exceed One Thousand Rupees.

Parts of Regulations prohibiting Judges from referring to the Sudder Aumeens any suits in which a British European Subject, or an European Foreigner, or an American may be a party, rescinded.

Second. Such parts of Section LXVIII. Regulation XXIII. 1814, Clause First, Section VII. Regulation XXIV. 1814, Clause Second, Section V. Regulation II. 1821, or of any other Regulation, as prohibit the Zillah and City Judges from referring to a Sudder Aumeen any suit in which a British European subject, or an European Foreigner, or an American may be a party, are hereby rescinded.

Judges may refer to a Sudder Aumeen, suits in which the claim may not exceed a thousand Rupees.

Third. In addition to the powers vested in the Sudder Aumeens under the provisions of Section LXVIII. Regulation XXIII. 1814, and Clause Second, Section VII. Regulation XXIV. 1814, and Section V. Regulation II. 1821, the Zillah and City Judges are hereby authorized to refer to a Sudder Aumeen duly empowered, under the first Clause of this Section, any depending Civil Suits in which the value or amount of the claim, calculated according to the provisions of Section XIV. Regulation I. 1814, Section XXIII. Regulation XXVI. 1814, and Section V, Regulation XIX. 1817, may not exceed One Thousand Rupees.

Suits referred to a Sudder Aumeen under the preceding

Fourth. Suits referred to a Sudder Aumeen under the preceding clause, in which the value or amount of the claim

may

may exceed Five Hundred Rupees, shall be received, tried, and determined in conformity with the Provisions of Regulation XXIII. 1814; and shall be open to appeal or not to the Zillah or City Judge, according to the Rules prescribed in that Regulation.

Clause, shall be tried under the provisions of Regulation XXIII. 1814.

Fifth. Appeals from the decisions of Sudder Aumeens in which the value or amount of the claim may exceed Five Hundred Rupees shall not be referred to a Register, and the decision of the Zillah or City Judge, on such Appeals, shall be final, unless the Provincial Court shall see sufficient reason for admitting a second or special Appeal, under the provisions contained in Section IV. Regulation II. 1825, and the Regulations therein declared applicable to such Appeals.

Appeals from the decision of Sudder Aumeens in cases exceeding five hundred Rupees, shall not be referred to a Register.

III. Section LXI. Regulation XXIII. 1814, authorizing the Provincial Courts to exercise their discretion in diminishing or augmenting the number of Sudder Aumeens, is hereby rescinded. Whenever the Provincial Courts, with reference to the state of the Civil business and other Local circumstances, may hereafter consider the appointment of an additional Sudder Aumeen at any Zillah or City Station desirable, or a reduction in the number of Sudder Aumeens which may have been appointed expedient, they shall report the grounds of their opinion for the consideration and orders of Government.

The Provincial Courts to Report to Government in future, the proposed Appointment of an additional Sudder Aumeen, or a reduction in the number of Sudder Aumeens.

A. D. 1827. REGULATION V.

A REGULATION *for modifying the Rules at present in force for the management of Estates under attachment by orders of the Courts of Justice in certain cases.—Passed by the Governor General in Council on the 27th December* 1827, *corresponding with the* 13*th Poose* 1234 *Bengal Era; the* 24*th Poose* 1235 *Fusly; the* 14*th Poose* 1235 *Willaity; the* 10*th Poose* 1884 *Sumbut; and the* 7*th Jummadee-us Sanee* 1243 *Higeree.*

PREAMBLE.

WHEREAS it is expedient in all cases of the attachment of Landed Property under orders of the Courts of Justice, that the management of the Estate attached should be placed under the superintendence of the Collectors of Land Revenue, the following Rules have been enacted by the Governor General in Council to be in force from the date of their promulgation throughout the Territories immediately subject to the Presidency of Fort William.

II. The

Modification of certain Regulations regarding the management of Estates under attachment.

II. The Rules contained in Sections V. and VI. Regulation V. 1799, and Clauses Five and Six, Section XVI. Regulation III. 1803, and Sections XXVI. and XXVII. Regulation V. 1812, and Clause Third, Section V. Regulation VI. 1813, regarding the administration and management of Estates under orders of the Zillah and City Courts, are hereby declared subject to the following modifications.

Rules for the issue of Precept for holding Estates under attachment and for appointing Managers.

III. Whenever the Zillah and City Courts may deem it just and proper, under the provisions of the several Regulations abovementioned, to provide for the administration or management of Landed Property, the Court shall issue a Precept to the Collector of Land Revenue of the District wherein the Estate may be situated, directing him to hold the Estate in attachment, and to appoint a person for the due care and management of the Estate under good and adequate security for the faithful discharge of the trust in a sum proportionate to the extent thereof; provided, however, that if any person holding an interest in the Estate shall be dissatisfied with the selection made by the Collector of the individual to perform the duty in question, or with the conduct of the manager at any time after his appointment, it shall be competent to such person to represent his objections to the Board of Revenue, and the Board will either confirm the manager chosen, or order the Collector to appoint another person, as on consideration of the circumstances of the case may appear reasonable and proper.

IV. The

IV. The Precept of the Zillah or City Court abovementioned shall state specifically the property to be included in the attachment, and the attachment shall not be withdrawn without a further Precept from the Court to that effect.

The Precept shall specifically state the property to be included in the attachment.

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OF THE

REGULATIONS,

PASSED IN THE YEAR

1828.

A REGULATION *for empowering the Governor General in Council to Commute Sentences of Imprisonment for life in the Allipore Jail to Transportation for life in any of the British Settlements in Asia, in certain cases,—Passed by the Governor General in Council on the* 10*th April,* 1828.

REGULATION II.

A REGULATION *for rescinding parts of Regulation I.* 1799, *—Passed by the Governor General in Council on the* 10*th April,* 1828.

REGULATION III.

REGULATION III.

A REGULATION *for the Appointment of Special Commissioners for the more speedy hearing and determination of Appeals, from the decisions of the Revenue authorities in regard to Lands or Rents occupied or collected by Individuals, without payment of the Revenue demandable by Government, under the general Law of the Country, and for otherwise more effectually securing the realization of the public dues,—Passed by the Governor General in Council on the 12th June,* 1828.

REGULATION IV.

A REGULATION *to declare and extend the powers to be exercised by Collectors, when making or revising Settlement, under the provisions of Regulation VII.* 1822,—*Passed by the Governor General in Council on the 7th August,* 1828.

REGULATION V.

A REGULATION *for authorizing the Zillah and City Courts to execute Awards of Military Courts in certain cases,—Passed by the Governor General in Council on the 28th August,* 1828.

REGULATION VI.

A REGULATION *to explain the intent and meaning of certain parts of Regulation II.* 1823,—*Passed by the Governor General in Council on the 4th September,* 1828.

REGULATION VII.

A REGULATION *for amending the provisions of Regulation XV.* 1795, *and for defining the authority of the Rajah of Benares*

Benares in the Mehals therein referred to,—Passed by the Governor General in Council on the 12*th September*, 1828.

REGULATION VIII.

A REGULATION *for enlarging the powers of the Magistrates, with regard to the offence of Affrays,—Passed by the Governor General in Council on the* 16*th October*, 1828.

REGULATION IX.

A REGULATION *for amending the Rules in force in regard to Special or Second Appeals, instituted in formâ pauperis, —Passed by the Governor General in Council on the* 27*th November*, 1828.

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Settlements—see Collectors—Rajah of Benares.
Sudder Dewanny Adawlut—see Special Commissioners.
Sunderbunds—see Special Commissioners.
Tenures—see Special Commissioners.
Transfer of Land—see Special Commissioners.
Transportation—see Allypore.
Vakeels' Fees—see Special Commissioners.
Zillah Courts—see Collectors, Military Courts and Special Commissioners.

ALTERATIONS, MODIFICATIONS, EXTENSIONS, RESCISSIONS, &c.

Regulations Altered.				*By what Regulation.*		
Regulation.	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1795						
II.	XVII.	*Sixth.*	Modified	VII.	II.	
V.	VIII.	——				
XV.		——				
1819						
II.	XXII.	——	Modified and Extended	III	X.	*First.*
——	XXIII.	——				
——	XXIV.	——				
1822						
I.	——	——	Amended	VIII.	II.	
1824						
XV.	III.	——	Modified	IV.	II.	*Second.*

INDEX TO THE REGULATIONS.	*Regulation.*	*Section.*	*Clause.*
AFFRAYS.			
Extensions of Magistrate's power of Punishment, ...	VIII.	III.	——
ALLYPORE JAIL.			
In what manner Convicts, under Sentence of Imprisonment for life in the Allypore Jail, are to apply to have their Sentences commuted to transportation for life, ...	I.	II.	*First.*
COLLECTORS.			
Powers to be exercised by them when making or revising a Settlement, ...	IV.	II.	——
MILITARY COURTS.			
Their awards may be executed by the Zillah and City Courts in certain cases, ...	V.	II.	——

RAJAH

	Regulation.	Section.	Clause.
RAJAH OF BENARES.			
His authority defined in certain Mehals, ...	VII.	——	——
SPECIAL COMMISSIONERS			
To be appointed for the purpose of determining cases investigated by Collectors, under the Rules of Regulation II. 1819, and other similar Provisions, ...	III.	II.	——
SPECIAL APPEALS.			
The several Courts of Justice empowered to inquire into and decide Special Appeals which may have been instituted in formâ pauperis, but rejected between the date of the promulgation of Regulation XXVIII. 1814, and of Regulation II. 1825, if preferred within one year, from the date of the present Regulation, ...	IX.	III.	——

A. D. 1828. REGULATION I.

A REGULATION *for empowering the Governor General in Council to Commute Sentences of imprisonment for life in the Allypore Jail, to transportation for life to any of the British settlements in Asia, in certain cases.*—PASSED *by the Governor General in Council on the* 10*th April* 1828, *corresponding with the* 30*th Chyte* 1234 *Bengal era; the* 10*th Bysack* 1235 *Fusly; the* 31*st Chyte* 1235 *Willaity; the* 11*th Bysack* 1885 *Sumbut, and the* 24*th Rumzan* 1243 *Higeree.*

Preamble.

WHEREAS some of the Convicts now under sentence of imprisonment for life in the Allypore Jail, have expressed a desire to have their sentences commuted to transportation for life; and whereas it may, from time to time, be convenient that convicts should be transported to the coast of Tenasserim, or to other British settlements to which Convicts are now usually transported,

transported, in lieu of being imprisoned for life in the Jail at Allypore; the following rules have been enacted by the Governor General in Council to be in force from the period of their promulgation.

In what manner Convicts under sentence of imprisonment for life in the Jail at Allypore, are to apply to have their sentences commuted to transportation for life.

II. *First.* Whenever any Convict, sentenced to imprisonment for life in the Jail at Allypore, shall be desirous of obtaining a commutation of his sentence to transportation for life, he shall make known his wishes to that effect, either verbally or in writing, to the Superintendent or other Officer in charge of the Jail, who shall call such Convict before him, and after taking down his request in writing, to be signed by the said Convict and attested by two or more respectable persons, shall report the case for the orders of Government, stating at the same time any objections which in his opinion may exist to the commutation of the sentence on account of the dangerous character of the Convict, or other circumstances.

The Governor General in Council competent to commute the sentence.

Second. It shall be competent to the Governor General in Council, on a consideration of the report above-mentioned, to commute the sentence passed upon the Convict of imprisonment for life in the Allypore Jail, to transportation for life to any of the British settlements in Asia, and the sentence so commuted shall be carried into effect in the same manner as sentences of transportation beyond sea for life are now enforced.

The provisions contained in Section V, Regulation XII. 1818, to be applicable to Convicts who may escape from transportation.

Third. The provisions contained in Section V. Regulation XII. 1818, are hereby declared applicable to Convicts whose sentences

sentences may be commuted under the foregoing clause, and who shall escape from the place of their transportation, and return, without permission, to any part of the Company's Ter-

A. D. 1828. REGULATION II.

A REGULATION *for rescinding parts of Regulation I.* 1799.—PASSED *by the Governor General in Council on the* 10*th April* 1828, *corresponding with the* 30*th Chyte* 1234 *Bengal era; the* 10*th Bysack* 1235 *Fusly; the* 31*st Chyte* 1235 *Willaity; the* 11*th Bysack* 1885 *Sumbut, and the* 24*th Rumzan* 1243 *Higeree.*

WHEREAS the enforcement of the rules contained in Section III. Regulation I. 1799, which provide that no trade or intercourse whatever shall be carried on by any person resident in the Company's Provinces, with the Country lying to the North West of the Surmah River, has been found incompatible with a general freedom of trade in Chunam, and other Articles, on the frontier of Sylhet, which it was the object of that Regulation to promote, the following Regulation is passed by the Governor General in Council, to be in force from the date of its promulgation. Preamble.

II. Such

Parts of Section III. Regulation I. 1799, rescinded.

II. Such parts of Section III. Regulation I. 1799, and generally any other provisions of that Regulation, which prohibit persons residing in the Company's Provinces, from carrying on trade or intercourse with the Country lying to the North West of the Surmah River, are hereby rescinded.

A. D. 1828. REGULATION III.

A REGULATION *for the appointment of Special Commissioners for the more speedy hearing and determination of appeals, from the decisions of the Revenue authorities in regard to Lands or rents occupied or collected by Individuals, without payment of the Revenue demandable by Government, under the general law of the Country, and for otherwise more effectually securing the realization of the public dues.*—PASSED *by the Governor General in Council on the* 12*th June* 1828, *corresponding with the* 31*st Jeyte* 1235 *Bengal era; the* 14*th Assaur* 1235 *Fusly; the* 1*st Assaur* 1235 *Willaity; the* 15*th Assaur* 1885 *Sumbut, and the* 28*th Zehkaad* 1243 *Higeree.*

Preamble.

BY the provisions of Regulation II. 1819, and other Regulations subsequently enacted, Collectors and other local Revenue Officers, throughout the provinces subordinate to this Presidency, have been empowered, with the sanction of the Boards of Revenue,

Revenue, to institute enquiries with a view to the resumption and assessment of all lands held free of rent, or at an inadequate rent under invalid tenures; Commissioners have likewise from time to time been appointed under the orders of Government to maintain and enforce the public rights in different districts, in which extensive tracts of Country unowned and unoccupied at the time of the perpetual settlement, are now liable to assessment, or, being still waste, belong to the State. It was, at the same time, provided in the Regulations above adverted to, that, in all cases in which the Revenue Officers might declare the lands of any individual liable to assessment, the party might contest the decision by suit in one of the ordinary Courts of Justice, such provision having been made with the intention that the decisions of the Collectors and the Boards should be held and considered to be Judicial awards, and that the suits preferred to the ordinary Courts, being of the nature of appeals, should be speedily disposed of. It has however, appeared that partly from the number of the cases in question, partly from the practice of the Courts in treating the appeals made to them as original suits, and partly from other causes, little or no progress has been made towards the settlement of the matter, and heavy arrears of such cases have accumulated in several of the Courts and Boards of Revenue: that the existing laws have not been adequate to secure for the Revenue authorities the information required, and that consequently, while, on the one hand, a large amount of Revenue continues to be usurped without any just pretence, and the improvement of the Country is hindered by frivolous and litigious claims, on the other hand, the owners of

valid

valid tenures are disquieted and disturbed. To remedy the aforesaid evils, it appears to be expedient to appoint Special Commissioners competent to determine finally all cases of the nature above described, within such local limits as may from time to time be deemed necessary; to declare the intent and meaning of the existing Regulations in regard to suits preferred to the ordinary Courts relative to such cases; and to provide that all successions to the possession of land or rent, free of assessment whether by sale, gift, or inheritance, shall be regularly reported to the Revenue authorities. It has likewise appeared to be expedient and proper to make provision for the immediate settlement of the limits of the Soonderbuns, as ascertained by careful local enquiry, conducted by the Commissioner specially appointed to the duty, and the Surveyors under his authority: and also to declare the intent and meaning of certain parts of the existing Regulations in regard to which doubts have arisen.—The following rules have accordingly been enacted to be in force from the date of their promulgation throughout the provinces immediately subordinate to the Presidency of Fort William.

Special Commissioners to be appointed for the purpose of determining cases investigated by Collectors, under the Rules of Regulation II. 1819, and other similar provisions.

II. *First.* It shall be competent to the Governor General in Council, by an Order in Council, to appoint one or more special Commissioners as may be judged expedient, for the final determination of all cases which have been or may be investigated by Collectors, Deputy Collectors, or other Officers exercising in that behalf the powers of Collectors, under the rules of Section V. and the fifteen subsequent Sections of Regulation

II.

II. 1819, and of Section V. Regulation IX. 1825, subject to the provisions hereinafter enacted: And the Commissioner or Commissioners so appointed, shall similarly determine all suits which may be brought to contest the demand of the Revenue Officers on the plea that the annual rent or assessment upon which the demand is founded exceeds what the party is bound to pay, and which may consequently involve the question of a permanent increase or reduction of the public Revenue.

The jurisdiction of the Special Commissioner or Commissioners, to extend to such districts or portions of districts as Government may direct.

Second. The jurisdiction of the special Commissioner or Commissioners appointed as above shall extend to such districts, or portions of districts, and for such periods, as the Governor General in Council may direct: and it shall be competent to the Governor General in Council to fix and appoint the functions to be discharged by each Commissioner, and to assign to him such local jurisdiction as may from time to time appear proper.

Government competent to fix and appoint the functions of each Commissioner, and to assign such local jurisdiction as may appear proper.

Notice of jurisdiction vested in Commissioner or Commissioners, how to be published.

Third. Whenever any Commissioner or Commissioners shall be vested by the orders of the Governor General in Council with jurisdiction in any district or other division, notice thereof shall be published by proclamation at the Cutcherries of the Judge and Collector of such district, and shall likewise be communicated, through the Court of Sudder Dewanny Adawlut, to the Provincial and Zillah Courts concerned.

Courts to suspend the exercise of the powers vested in them, in regard to all cases, cognizable by the Commissioners, on being apprized of their appointment.

Fourth. Whenever any of the said Courts shall be apprized in the manner above specified of the appointment of a Commissioner or Commissioners to exercise the powers specified in this

this regulation within any Zillah or other local division, the powers heretofore vested in and exercised by the said Courts in regard to all cases belonging to such local division of the nature declared cognizable by the Special Commissioners shall be suspended, and the said Courts shall immediately stay all proceedings in such cases, until they shall be apprized that the local jurisdiction of the Commissioner or Commissioners has ceased, and further, the said Courts shall forthwith transmit to the Commissioner the records of all cases of the above nature, which may be depending before them: Provided also that no appeal shall lie to any of the established Courts of Judicature from any decision which has been, or shall be passed, by the Board of Revenue, or a Collector, in regard to the Revenue of any lands lying within such local division, previously to, or pending the appointment of a Special Commissioner.

And to stay all proceedings in such cases, until apprized that the local jurisdiction of the Commissioner has ceased.

Records of such cases, depending before the said Courts, to be forthwith transmitted to the Commissioner.

No appeal to lie to Courts from decisions of the Board of Revenue or Collectors, in regard to the Revenue of lands within such local division, passed before or pending the appointment of a Commissioner.

Fifth. In all cases, which have been decided by the Boards of Revenue before the Jurisdiction of a Commissioner may have been declared to extend to the district in which they have arisen, and in which the parties would, but for the extension of such jurisdiction, have been entitled to appeal to the ordinary Courts of Justice, under the rules contained in Sections XXII. and XXIV. of Regulation II. 1819, and Section V. Regulation IX. 1825, an appeal shall lie to such Special Commissioner, and the cases shall be heard and determined in the same manner as appeals preferred to that authority from the decisions of Collectors under this Regulation.

In cases decided by the Board of Revenue, in which parties would have been entitled to appeal to the Courts, an appeal to lie to the Commissioner, and the cases to be heard and determined in the same manner as appeals from Collectors under this Regulation.

Sixth.

Notice of appointment of Commissioner to be communicated to Boards of Revenue or other Board exercising Revenue Control, who will, on the receipt of such communication, suspend the exercise of the powers vested in them under Regulation II. 1819, and IX. 1825, with the exception stated.

Sixth. Notice of the appointment of a Commissioner to exercise the powers specified in this Regulation in any district or other local division, shall likewise be communicated to the Boards of Revenue, or other Board exercising control over the Revenue Officers of such district or division, and on the receipt of such communication, the powers vested in the said boards, under the provisions of Regulation II. 1819. and Regulation IX. 1825, (with exception to the powers specified in Section IV. of the last mentioned Regulation,) shall be suspended, within the said district or division; and the said Board shall immediately stay all proceedings in cases thereunto belonging, which may be depending before them, under the provisions of the above Regulations, as well as in all other cases, relating to the said district or division of the nature described in the Preamble to this Regulation, and shall forthwith transmit to the Commissioner the records of all such cases.

And stay all proceedings in such cases depending before them and transmit the Records to the Commissioners.

In Suits transferred from the Courts or Boards under this Regulation, all sums which may have been deposited as Vakeel's fees, shall remain in deposit till the case is decided, and the Vakeel's fees, as well as all other costs, shall then be paid as may be awarded in the decree of the Commissioner.

Seventh. When any suit may be transferred by a Court of Justice or a Board of Revenue to a Special Commissioner under the provisions of this Regulation, the Commissioner or Commissioners by whom such suit shall be decided shall determine the amount of remuneration to be assigned to the Vakeels who may have been employed by the parties in conducting such suit before the Court or Board from which it may be transferred, and generally how any costs previously incurred shall be borne: all sums which may have been deposited in such Court or Board on account of Vakeel's fees, shall be kept in deposit until the case is decided, when the amount awarded to the Vakeels by the Commissioners shall be paid to them.

III.

III. Whenever the jurisdiction of a Commissioner shall be declared by the orders of Government to extend to any district or other local division, it shall be competent to the Governor General in Council to invest such Commissioner with any, or all of the powers vested by the Regulations in force in the Boards of Revenue.

Whenever the jurisdiction of a Commissioner shall be declared to extend to any District or other local Division, it shall be competent to Government to invest such Commissioner with any or all the powers of the Board of Revenue.

IV. *First.* When the jurisdiction of a Commissioner shall have been established in any particular district, it shall be competent to the Collector or other local Revenue Officer of such district to institute the enquiries specified in Regulation II. 1819, and Regulation IX. 1825, in regard to any lands, which he may have reason to believe are held free of assessment, or at an inadequate jumma under an invalid tenure, or which being unoccupied he may consider to be public property, without previously applying for the sanction of the Board of Revenue. In all other respects, however, he is to proceed to the investigation of the case in the manner provided for in Regulation II. 1819, and Regulation IX. 1825, accordingly as the one or other may apply to the case, and having closed his proceedings, he shall record in a Persian Roobukaree his judgment as to the liability of the lands to assessment or otherwise, in the manner directed in Section XX. of the first-mentioned Regulation, and such decision shall have the force and effect of a decree, and a copy thereof on plain paper shall as soon as possible be delivered to the party concerned.

On the establishment of a Commissioner's jurisdiction in any particular district, the Collector or other local Officer may institute enquiries under Regulation II. 1819, and Regulation IX. 1825 without previous sanction of the Board.

In all other cases he is to proceed in the manner provided for in those Regulations.

And having closed his proceedings, he will record his judgment as to the liability of the lands to Assessment or otherwise. Such decision to have the force and effect of a decree, and copy to be furnished to the party.

Second.

If the judgment is for assessment, the party against whom the decision is passed, to be at liberty to appeal to the Special Commissioner, within two months.

Second. If the decision of the Collector shall declare the lands liable to assessment, or shall adjudge them to be the property of Government, it shall not be necessary for him to transmit his proceedings to the Board of Revenue, or to the Special Commissioner, but the party against whom such decision is passed shall be at liberty to appeal from the same to the special Commissioner within two months from the date on which a copy of the decision may have been tendered to him by the Collector: but it shall be competent to the Commissioner to admit an appeal, after the expiration of the above period, on sufficient cause being shewn why it was not sooner preferred. Provided also that petitions of appeal may, at the option of the party, be either presented to the Special Commissioner or delivered to the Collector, for transmission to that authority.

Appeals may be admitted by Commissioner after that period, on sufficient cause shewn.

Petitions of appeal may be presented to the Commissioner, or delivered to the Collector for transmission to him.

Collector empowered to carry his decision into effect, whether an appeal be filed or not, reporting his proceedings to the Board, or the Commissioner.

Third. It shall and may be lawful for the Collector, whether an appeal be filed or not, immediately to carry into effect his decision by attaching and assessing the land; reporting his proceedings for the information and orders of the Board, or of the Commissioner, if vested with the powers of the Board: provided however, that in cases appealed to the Commissioner, it shall be competent to that authority to stay execution of the Collector's decree, and to cause the attachment of the land to be suspended or withdrawn on due security being tendered by the appellant for the payment, from the date of the Collector's decision, of the Revenue which may ultimately be assessed on the land.

Commissioner may stay execution of Collector's decree in cases appealed, and suspend attachment of land, on security for payment being tendered.

Fourth.

Fourth. If the Collector shall decide against the assessment, he shall report his proceedings, together with the whole record of the case to the Board of Revenue, who are to take the case into their consideration, and if they shall be of opinion that the grounds assigned by the Collector for considering the lands exempt from assessment are insufficient or invalid, it shall be competent to the Board, within one year from the date on which they may receive the Collector's proceedings, to transfer the case for revision and final orders to the Special Commissioner, who shall issue a notice requiring the attendance of the party in whose favor the Collector may have decided; and should such party neglect, after having been duly summoned, to attend and defend the appeal before the Commissioner, it shall be competent to the Commissioner to hear and decide the case exparte.

If Collector decide against assessment, he will report his proceedings to the Board,

Who will, if dissatisfied with the grounds of the Collector's decision, transfer the case for revision and final order to the Special Commissioner within one year.

Commissioner to issue notice to the party requiring his attendance—if party neglect to attend, Commissioner empowered to hear and decide exparte.

Fifth. In all cases decided by a special Commissioner or Commissioners, whether on appeal by individuals from decision of the Collector, or on reference from the Board of Revenue under the above rule, or in cases transferred from any of the ordinary Courts of Judicature, the decision passed by the special Commissioner or Commissioners, who by warrant from the Governor General in Council and the provisions of this Regulation may be competent to pass the same, shall be final, save and except in cases which, if decided by the Court of Sudder Dewanny Adawlut, would be appealable to His Majesty the King in Council; in such cases, a similar appeal will lie from the decision of the Special Commissioner or Commissioners under the same rules and restrictions as are applicable to appeals from the decisions of the

Decisions of Special Commissioner or Commissioners, under this Regulation, shall be final.

Excepting cases which, if decided by the Sudder Dewanny Adawlut, would be appealable to His Majesty the King in Council.

In such cases an appeal will lie from the decision of the Special Commissioner or Commissioners, under the rules applicable to appeals from

decisions of the Sudder Dewanny Adawlut.

The decision of the Special Commissioner to be executed and enforced notwithstanding the institution of the appeal.

Commissioners to be competent to review any judgment passed by them, on sufficient cause shewn for a new trial.

the aforesaid Court, provided however that such decisions shall be immediately executed and enforced, notwithstanding the institution of the appeal: Provided also that it shall be competent to any Commissioner to review any judgment passed by him on sufficient cause being shewn why a new trial should be granted—the rules in the existing Regulations regarding a review of judgment being held applicable to such cases.

The judgment of a Single Commissioner concurring with the decision of the Board or other inferior tribunal, to be final, subject to the provisions of the foregoing clause.

Sixth. In all cases, in which the judgment of a single Special Commissioner shall coincide with the decision passed by a Collector or by a Board of Revenue, or by a Court of Justice, in cases which have been decided by an inferior Court, and after having been appealed to a higher, have been transferred under the provisions of this Regulation to a Special Commissioner, the decision of such single Commissioner shall be final, subject to the provisions of the foregoing Clause. But, if on hearing any case, of the nature above specified, a single Commissioner shall be of opinion that the last award made in such case ought to be reversed, or altered, he shall record his opinion to that effect, and the case shall then be laid before another Special Commissioner appointed under this Regulation, and should he disagree in opinion as to the decision of the case, to a third Commissioner, so that the final award may be made by the concurrent voices of at least two Special Commissioners. Provided that it shall be competent to the Governor General in Council on the occasion of appointing a Special Commissioner to exercise the powers specified in this Regulation within certain local limits, to determine at the same time to what other Special Commissioner

Course to be followed in the event of disagreement of opinion.

a reference shall be made by him in cases of difference of opinion.

V. It is hereby declared and enacted, that the provisions of this Regulation are not intended and shall not be construed, to extend to cases of the nature specified in the several clauses of Section XXX. Regulation II. 1819, save and except when such cases may involve the rights of Government to subject to assessment all, or any portion, of the lands, in respect to which the action may be brought. In cases of the above description, in which the Government may be a party, whether instituted in the first instance before the Collector, or referred to him by the Court, the Collector shall proceed to investigate and decide in the mode prescribed in the preceding Section of this Regulation: the several clauses of which shall be held to apply to such suits and all other cases falling within the provision of Section XXX. Regulation II. 1819, in which the Government is not itself a party, shall be heard and determined under the rules therein enacted, and the subsequent modifications of them declared in Section V. Regulation IX. 1825.

The provisions of this Regulation not to extend to cases of the nature specified in the several clauses of Section XXX. Regulation II. 1819, except when such cases involve the rights of Government to subject lands to assessment.

In cases of the above description, in which Government may be a party, the Collector to investigate and decide in the mode prescribed in the preceding Section.

All other cases falling within the provisions of Section XXX. Regulation II. 1819. in which Government is not itself a party, shall be heard and determined under the rules therein enacted, as modified by Section V. Regulation IX. 1825.

VI. *First.* The Special Commissioners appointed under this Regulation, shall be guided by such rules as may be prescribed by the Governor General in Council in regard to the forms of proceeding, the nature and number of the pleadings, the mode in which they are to be conducted, the paper, (stampt or unstampt,) to be used, the fees to be levied, and generally, the rules of practice to be followed.

Forms and nature of the proceedings of the Commissioners how to be regulated.

Second.

Commissioners may prescribe rules for the guidance of the Collectors, and may refer cases back to those officers for further trial.

Second. The Special Commissioners shall likewise be competent to issue such instructions to the Collectors of the districts over which their jurisdiction extends, in regard to their proceedings relative to cases investigated under the rules of Regulation II. 1819, and Regulation IX. 1825, as may appear requisite for their guidance and conducive to the ends of Justice, and, when it may appear necessary or proper, to refer cases back to those officers for further trial.

Processes of the Commissioner how to be enforced.

Third. All processes issued by a Commissioner shall be enforced in the same manner, and under the same penalties for disobedience or resistance, as processes of the ordinary Courts of Justice, and all the powers possessed by those Courts, in regard to contempts, the summoning and examination of Witnesses, and the administration of Oaths, shall be vested in the Commissioners, whose decision shall, in such matters, be final.

Decisions of the Commissioners how to be executed.

Fourth. The Special Commissioners shall be competent to require the Zillah Courts to carry into execution, when necessary, the decisions which they may pass, and the Zillah Courts shall give effect to such decisions in the same manner as they are required to execute the decrees passed by the Provincial Courts, or the Court of Sudder Dewanny Adawlut.

Native Officers attached to the Commissioners subject to what rules.

Fifth. The several rules and provisions contained in the existing Regulations relative to Native Officers belonging to the Zillah Courts, will be applicable to the Native Officers employed by the Special Commissioners, except in cases in which the Commissioners

Commissioners may, with the sanction of Government, otherwise determine.

Sixth. Any person knowingly giving a false deposition, whether on Oath or Hullufnameh, relative to any suit or matter depending before a Commissioner, and upon a point material to the issue thereof, shall be held and considered guilty of perjury, and shall, on conviction, be liable to the penalties prescribed by the Regulations for that offence. And any person causing or procuring another person to commit the offence of perjury as above described, shall be guilty of subornation of perjury, and shall be punishable, on conviction, under the provisions of the said Regulations.

Persons guilty of perjury or subornation of perjury, to be punishable under the Regulations.

Seventh. The Commissioners shall be competent to commit persons guilty of the above offences for trial before the Court of Circuit, and any Magistrate receiving from a Commissioner a Roobukaree, directing the commitment of such offenders, shall give effect to the same in like manner as if the commitment were made by himself.

And may be committed by order of the Commissioners for trial before the Court of Circuit.

VII. *First.* It shall be the duty of the Courts and of the Revenue Officers to afford the Commissioners every aid and information that they may require—to serve all processes issued and required to be served by the Commissioners in like manner as if they were issued by themselves, to prepare and transmit to the Commissioners such lists of cases decided, or pending before them as they may see occasion to call for, and to furnish all papers

Courts and Collectors to give their aid to the Commissioners.

papers and documents which the Commissioners may desire to examine.

Commissioners may require Zillah Courts and Collectors to examine witnesses and furnish information.

Second. It shall likewise be competent to the Commissioners to require the Zillah Courts or the Collectors to examine Witnesses, either on written interrogatories or otherwise, in regard to any points, the investigation of which it may appear necessary to conduct in that manner, and generally to enquire and report on particular points upon which further information is desirable, in the same manner as the said Court are required to report in pursuance of precepts issued to them by the Provincial Courts and Court of Sudder Dewanny Adawlut.

Commissioners to furnish periodical Statements and reports.

VIII. The Special Commissioners shall furnish to Government periodically such Statements and reports, as the Governor General in Council may prescribe.

Oath to be taken by Special Commissioners.

IX. The Special Commissioners appointed under this Regulation shall, before entering on the performance of their functions, take and subscribe a solemn Oath, according to the following form, and such Oath is to be administered by such person or persons as the Governor General in Council may direct.

FORM OF OATH.

I, A. B., appointed a Special Commissioner, under the rules of Regulation III. A. D. 1828, solemnly swear, that I will investigate

investigate and determine in equity and good conscience, to the best of my ability, knowledge and judgment, without fear, favor, promise or hope of reward, all matters which by the said Regulation or any other Regulation in force, I may be required to investigate and determine: that I will not receive directly or indirectly any present or Nuzzur in money or effects of any kind from any party whomsoever on account of any matter to be received, investigated or determined by me, or which may be depending or have been investigated or determined under the abovementioned Regulation, that I will not knowingly permit any person or persons under my authority to receive directly or indirectly any present or Nuzzur, in money or effects of any kind from any party or person whatsoever, on account of any matter as aforesaid,—and that I will not derive directly or indirectly any emoluments or advantages from my Office, excepting such as the orders of Government do or may authorize me to receive.

So help me God.

X. *First.* The following rules are hereby enacted in modification and extension of the provisions contained in Sections XXII. XXIII. XXIV. Regulation II. 1819.

Sections XXII. XXIII. and XXIV. Regulation II. 1819, modified and extended.

Second. All decisions which have been, or may be passed by the Boards of Revenue, under the rules in Section XXI. Regulation II. 1819. declaring the liability to assessment of lands, whether the same be situated in districts, to which the jurisdiction of a Special Commissioner has been extended, or in any other

Decisions passed by the Boards of Revenue under Section XXI. Regulation II. 1819, to be carried into execution, notwithstanding the parties may have sued to contest the decision.

other district, shall be carried into immediate execution by the Collectors or other local Revenue Officers of such district, notwithstanding that the parties against whom such decisions may have been or may be passed, shall have sued or shall sue to contest the Board's decision in one of the established Courts of Justice, or to the Commissioner appointed under this Regulation, and such parties shall not be permitted to retain possession of the lands, unless they enter into an engagement to pay the assessment which may be fixed upon them; such assessment to be collected under the general rules for the realization of the Government revenue from farmers thereof: And if any person against whom the Board may have decided, shall decline to pay the assessment fixed on the lands, he shall be forthwith dispossessed, and such arrangements shall be made for the collection of the Government Revenue as the Collector, under the orders of the Board, may see fit to adopt: But in the event of a final decision being passed, exempting the tenure of any such person from assessment, the net collections made on account of Government shall be refunded with Interest thereon at the rate of 6 per Cent. per annum.

Persons declining to pay assessment to be dispossessed, and the Collector to make arrangements for the Collection of the Revenue.

But if the land be finally exempted, the Collections made to be refunded with interest.

Third. All suits, which may be instituted in the established Courts of Justice, under the provisions of Sections XXII. and XXIV. Regulation II. 1819, and Section V. Regulation IX. 1825, to contest decisions of the Boards of Revenue, shall, when the jurisdiction of the above Courts is not barred by the operation of this Regulation, be heard and determined in the same manner as regular appeals, and no further pleadings shall be required

Suits instituted in Courts, to contest the Board's decision in cases in which the jurisdiction of the Courts is not barred by this Regulation, how to be heard and determined.

required or received in such cases than the objections of the appellant to the decision of the Board, and the reply to those objections on the part of the Revenue authorities, the said Courts shall likewise, on the admission of an appeal, invariably call for the original record of the Board's proceedings in each case, and shall then require the parties to file their pleadings as above provided; but it shall not be competent to the Courts to take further evidence, oral or documentary, unless it shall appear that such evidence was tendered by the party adducing it, to the Collector or the Board, and was then rejected on insufficient grounds, or that such evidence is essential to the ascertainment of some fact material to the issue, which may not have been fully enquired into in the course of the previous investigation.

Fourth. Provided however, and it is hereby enacted, that nothing contained in the preceding clause shall be construed to bar the admission of a further appeal on the part of the Revenue authorities to the Provincial Courts, or the Court of Sudder Dewanny Adawlut, from decisions passed in the first instance in the Zillah or the Provincial Courts respectively, in cases of the nature described, and specially provided for in Section VI. Regulation XIV. 1825, nor the admission by those tribunals of the special appeal on the application of the party opposed to Government, under the rules in Section XXVI. Regulation II. 1819.

Proviso that appeals are still to be admitted from inferior to superior Courts, as heretofore.

Fifth. Appeals filed in the established Courts of Civil Judicature to contest decisions of the Boards of Revenue, shall be kept on a file or Register distinct from that on which other suits before

Appeals from decisions of Boards of Revenue to be kept on a distinct file or Register, and Civil Courts to appropriate one day in the week to their trial and decision.

before those Courts are entered, and the Civil Courts are hereby directed and required to appropriate the first day in each week to the trial and decision of such appeals, and to prevent any unnecessary delay on the part of the Appellant in prosecuting their appeals by a strict enforcement of the rules prescribed in Section XII. Regulation XXVI. 1814.

Further provisions for securing to the Revenue Authorities information of the transfers of land held free of assessment.

XI. *First.* There being reason to believe that the rules in Section III. Regulation LVIII. 1795, and Section XL. Regulation XXXI. 1803, whereby the Judges of the Zillah and City Courts were directed to furnish the Collectors of the districts in which the land may be situated, and the Board of Revenue, with copies of every decree passed by them in suits between individuals, or sent to them by the superior Courts to enforce, by which the right in, or possession of, any lands held exempt from the payment of public revenue, may be affected, has not generally been observed by those Courts; Section IX. Regulation VIII. 1811, and Section IX. Regulation V. 1813, having also been rescinded by Regulation II. 1819, without due provision being made for all successions to the possession of Lakheraj tenures being duly reported to the Revenue Officers, the following Rules are now enacted for that purpose.

Persons succeeding to the possession of lands held free of assessment or on Mocurruree Jumma, to report the same to the Collector.

Second. Persons succeeding to the possession of any lands held free of assessment, or held on a Mocurruree Jumma, on the decease of a former occupant, or by gift, purchase, or other assignment or transfer of proprietary right, are hereby required immediately to notify the same to the Collector or other Officer exercising

exercising the powers of Collector within the district in which the land may be situated, and any omission to notify such succession or transfer for a period of six months or more, shall subject such land to immediate attachment by the Revenue Officers. —Nor shall land so attached be restored to the party who may claim to hold it, tho' the validity of the tenure be subsequently established to the satisfaction of the Revenue authorities, until such party shall have paid to Government a fine equal to one year's rent, and if the Revenue derivable from the land be not awarded to be the right of the individual, the party shall further be required to refund the amount of the collections made by him, with interest thereon at the rate of 12 per Cent. per annum; Provided also, that the said rent and collections shall be estimated according to the assessment demandable from the Ryots at the time of attachment.

Omission to report within six months to subject the land to attachment.

Land so attached not to be restored until the payment of a fine equal to one years' jumma.

And if the land be awarded not to be the right of the individual, collections to be refunded with interest.

Third. Where the lands of any individual may be attached under the above rule, any claim which he may prefer to recover possession thereof, and to hold the same free of assessment, or on a Mokurruree Jumma, shall be investigated and determined by the Collector, under the provisions of Regulation II. 1819 as modified by the present Regulation, and by those which have been intermediately enacted.

Claims to recover possession of lands attached as above, how to be investigated and determined.

XII. All tenures, which may not have been duly registered in the manner prescribed by the Regulations, or of which the specification contained in the Register shall not purport the same to be held under a hereditary title, or as a perpetual endowment, shall

Tenures not registered under the Regulations, or of which the specification in the register shall not purport them to be held under hereditary title, or as permanent endowment, shall be

held liable to resumption; unless declared hereditary by a final decree of a competent authority.

shall be and be held to have been liable to resumption, unless the same may have been declared hereditary by a final decree of a competent Court of Judicature, on the demise of the persons who were in possession at the dates respectively of Regulations XIX. and XXXVII. 1793, Regulations XLI. and XLII. 1795, Regulations XXXI. and XXXVI. 1803, Regulations VIII. and XII. 1805, according as the lands may be within the districts to which those Regulations are severally applicable, or in other parts of the country at the date at which the same came into the possession of the British Government: And Collectors and other Officers exercising the powers of Collector, shall accordingly proceed to assess, and, if necessary, attach all lands liable to resumption as above, in the same manner and with the same powers as they are authorized and required to proceed in the case of a lapsed farm, any thing in the existing Regulations to the contrary notwithstanding. Provided further, that the nature and extent of the interests vested in the holders of lands and rents exempted from assessment shall, when the title deeds are forthcoming, and their authenticity recognized, be construed and defined with reference to the whole of the matter contained in such deeds, and not merely by the designation of the tenure. Jageers consequently shall not be held to be life tenures in cases in which the recital of the grant shall be such as clearly to convey a hereditary interest: nor shall any tenures, howsoever designated, be considered to be hereditary and perpetual, if the grants under which they are held shall not convey, in express terms, a hereditary or perpetual interest.

Such lands to be attached and assessed in the same manner as lapsed farms.

Nature and extent of the interests vested in the holders of Lakheraj lands how to be determined.

XIII. *First.* The uninhabited tract known by the name of the Sunderbuns has ever been, and is hereby declared still to be, the property of the State: the same not having been alienated or assigned to Zemindars or included in any way in the arrangements of the perpetual settlement,—It shall therefore be competent to the Governor General in Council to make, as heretofore, grants, assignments and leases of any part of the said Sunderbuns, and to take such measures for the clearance and cultivation of the tract as he may deem proper and expedient. All parties to whom such grants, leases or assignments shall have been made, or to whom they may hereafter be made, shall be entitled to hold or to take possession of any tract of Sunderbun Jungle so granted or assigned, without question or opposition, and all public Officers shall aid and assist the same. Provided also, that if any Zumeendar, Talookdar, or other Sudder Malgoozar, or any other person owning and occupying or collecting the rent or revenue of cultivated land in the neighbourhood of the land so granted, leased or assigned, shall sue in any Court of Adawlut, or before a Special Commissioner, under this Regulation; to contest the validity of the title or the right of possession of any such lessee or grantee, under such grant, lease or assignment, then if the land aforesaid shall be proved to be, or to have been, or be not denied to be or to have been, when so granted, leased, or assigned within the limit of the unoccupied Jungle so named and described, the suit shall be dismissed with costs. Provided however, that if any Zemindar, Talookdar, or other person aforesaid, shall claim to possess a valuable interest in any part of the Sunderbuns, by virtue of authority to collect money, or other valuable thing from the

The Sunderbuns declared the property of the State, and Government competent to make grants and to take measures for its clearance.

Parties obtaining grants to take possession, and public Officers to aid and assist them.

Persons deeming themselves aggrieved by such grants, how to proceed.

Parties claiming right to derive revenue from persons engaged in gathering or collecting jungle produce in the Sunderbuns, entitled to compensation from Government on proving right.

the persons engaged in gathering wax, or cutting wood, or obtaining other Jungle products of the tract, or by virtue of any other similar privilege or advantage which may have been recognized as part of the assets, on which the assessed Revenue of his Zemindaree, Talookdaree, or other tenure was adjusted at the time of farming the perpetual settlement of the district, and the collection of which was not subsequently stopped and due compensation made, under the rules relative to the collection of Sayer Revenue, or other similar arrangement, such Zemindar, Talookdar, or proprietor, shall be entitled to receive from Government compensation for any diminution in the value of such interest and advantage consequent on the arrangements adopted for the cultivation of the Sunderbuns; the same being duly established, after an investigation conducted under the rules of Regulation II. 1819, as modified by this Regulation.

Boundaries of the Sunderbuns how to be determined.

Second. The boundary of the Sunderbun Jungle shall be laid down by accurate survey, as determined on the spot by the Commissioner of the Sunderbuns, and any Zemindar, Talookdar, or party interested, shall be entitled, on application made through the Commissioner, and on payment of the charge of preparing the same, to receive a Copy of the Survey Map, or of any part of the same, with the boundary marked there as so determined, together with a Copy of the Commissioner's proceedings on the subject. Any party deeming his right injured by the demarcation so laid down, shall be at liberty, at any time within three months from the date of the Commissioner's proceeding fixing the same, (which proceeding shall always be held

Parties injured by such demarcation how to proceed, and Commissioners and Courts how to determine such cases.

and

and published on the spot,) to contest the same by petition to a Special Commissioner under this Regulation, having local jurisdiction for the time being (or if no such jurisdiction exist, to the ordinary Courts of Justice, by which the case is cognizable,) praying further investigation; provided that no plea of objection against the line of demarcation laid down shall be heard or admitted, excepting only such as shall declare and offer proof that at the time of survey a specific quantity of land, or land with defined limits, was in the occupation of the Petitioner cleared and under cultivation, which, by the line of demarcation adopted, is placed within the Sunderbun tract belonging to Government. Every such application so made shall be regarded as a claim to hold the tract claimed free of the public assessment, and shall be investigated and decided under the rules of Regulation II. 1819, as modified by this Regulation.

RULES OF PRACTICE *for Regulating the Proceedings of the Special Commissioners appointed under Regulation* III. 1828:—*Passed by the Right Honorable the Governor General in Council, on the* 21*st August*, 1828.

SERISHTEH.

Cases transferred to Commissioners, and received in Appeal by them, to be numbered and filed in three separate Registers, according to a given form.

Section I. The several cases which may be received for trial by each Commissioner, whether transferred by the Courts of Justice, or Boards of Revenue, or received on Appeal by parties, shall be regularly numbered and entered on separate File-Books, according to the following classification, viz.

One file for cases of Lakheraj Lands or Tenures claimed to be held free of all rent.

One file for cases of claims to hold land at Mocurruree, or fixed Juma, or to resist the assessment of land on the plea that it is included in settled estates, such as Halabad, Noabad, Towfeer, and Puteetabadee lands.

One file for new Churs and Jungle lands claimed as the absolute property, and at the disposal of Government.

Each file to be kept according to the form A annexed.

II. Each

Each Commissioner to entertain a Mohafez Dufter, to be held responsible for safe custody of Records.

II. Each Commissioner is to entertain a Mohafez Dufter, who is to have special charge of the records of cases to be heard and determined, for the safe custody of which that Officer shall be held responsible, and all Officers, who may be employed by the Commissioners in the execution of the duty confided to them, shall be considered as exclusively under their control.

ADMISSION OF APPEALS.

In suits transferred from Courts of Justice, notice to parties how to be issued.

III. Whenever the record of any cause may be transferred by a Court of Justice to a Special Commissioner, under the rule contained in the Fourth Clause of Section II. Regulation III. 1828, the Commissioner shall, in a Persian Roobekaree, acknowledge the receipt of the record, and request the Court to intimate the transfer to all parties connected with the suit, who may have appeared before it. The Commissioner shall further issue a notice according to the form in use in the Courts of Justice, to be served through the Zilla or City Court within the jurisdiction of which the lands may be situated, requiring their attendance for the purpose of prosecuting or defending the suit as the case may be; all notices of the above description, which it may be necessary to issue to any Officer on the part of Government, shall be served as hereinafter directed.

In cases transferred from the Revenue Boards, similar notices to issue to the parties.

IV. In all cases which may be transferred to a Special Commissioner by a Board of Revenue, under the Provisions of the Sixth Clause of Section II. Regulation III. 1828, the Board shall be requested to notify the transfer to the parties or their agents, who may have appeared before them, and notices, similar to those prescribed in the preceding Section, shall be issued for the attendance of the parties, to be served through the Judge

of

of Zilla or City Court, within the jurisdiction of which the lands may be situated.

V. Whenever any person, who may be dissatisfied with a decision passed by a Collector, shall, under the option given in the Second Clause of Section IV. Regulation III. 1828, present his Petition of Appeal to the Collector, by whom the decision has been passed; it shall be the duty of that Officer, after having had a complete copy of the record of the case made for retention in his own office, to transmit the original record of the suit, accompanied by an accurate list of all the Papers contained in it, to the office of the Special Commissioner of the Divison; in making a transcript of the record previous to transmission, the Collector is to be specially careful that all Sunnuds and other documents are accurately and faithfully copied for record in his office: and the original record is, in all practicable cases, to be transmitted within fifteen days from the date on which the Petition of Appeal may be filed.

Collectors how to proceed when Petitions of Appeal are presented to them.

VI. On the same day on which the original record of any case appealed may be transmitted from the Collector's office to that of the Special Commissioner of the Division, the Collector shall issue a notice to the appellant, apprising him thereof, and requiring him to attend the Commissioner, either in person or by an authorized agent, for the purpose of prosecuting his Appeal within six weeks from the date of the receipt of such notice: if any other person, not being an officer of Government, shall have been a party to the case, a similar notice shall be issued to such person, and the due service of such notices

Notice of transmission of record to be given to the appellant and other parties concerned.

notices shall, on their being returned to the Collector, be certified by him to the Special Commissioner.

Collector to apprise the Agent of Government appointed at the Commissioner's Cutcherry of the admission of the Appeal.

VII. It shall likewise be the duty of the Collector, on the transmission of the record of any case appealed as above specified, to give notice of the admission of such Appeal by Perwannah, addressed to the officer, who may be appointed as hereinafter provided agent on the part of Government at the Cutcherry of the Special Commissioner.

Petitions of Appeal preferred to Commissioner to be accompanied by authenticated copy of decision appealed from.

VIII. Every Petition of Appeal from the decision of a Collector, preferred direct to a Special Commissioner under the rule quoted in Section V. or from the decisions of a Board of Revenue, under the provisions of the Fifth Clause of Section II. Regulation III. 1828, shall invariably be accompanied by a duly authenticated copy of the decree appealed from; and on the admission of an appeal so preferred, the Special Commissioner shall, when the decision appealed from may have been passed by a Collector, issue a precept to that Officer requiring him, within a specified time, to transmit the original record of the cause to the office of the Special Commissioner, a copy of the record being retained by the Collector, as provided in the Fifth Section of these Rules; in cases when the appeal admitted as above shall be from a decision passed by a Board of Revenue, the Special Commissioner shall, by a Persian Roobekaree, require such Board to transmit to his office the original record of the case, (a copy being similarly retained) within a specified period.

Commissioner how to proceed when appeal is admitted from decisions of Collectors.

And how to proceed, if the appeal be from a decision of a Revenue Board.

IX. When

IX. When an appeal may be admitted by a Special Commissioner under the Rules contained in the two preceding Sections, if there shall appear, on a perusal of the decree appealed from, to be any individuals interested in the issue of the appeal besides the appellants and the Officers of Government, it shall be the duty of the Special Commissioner to direct a notice of the nature described in Section VI. of these Rules, to be served on such persons, through the Zillah or City Courts, within the jurisdiction of which they may reside, and the due service of such notice shall be certified by the Judge of such Court, in reply to the precept issued to him by the Commissioner.

Notice of the admission of an appeal to be given to other parties not appellants or Officers of Government.

Judges of Zillah and City Courts to certify the due service of such notice.

X. In cases which may be referred to the Special Commissioners by the Revenue Boards, under the Provisions of the Fourth Clause of Section IV. Regulation III. 1828, the notice therein directed to be issued for the attendance of the respondents, as well as any notice which it may appear proper to the Commissioners to issue for the attendance of any other party, not being an Officer of Government, shall issue through, and be served by, the Judge of the Zillah or City Court of the district in which the respondent or such party may respectively reside.

Notice to respondents and other parties in cases referred to Special Commissioners under Clause 4, Section IV. Regulation III. 1828, how to be served.

XI. With reference to the provisions of Clause Third, Section IV. and Clause Second, Section VI. Regulation III. 1828, it is provided that, whenever a Petition of Appeal shall be preferred to a Collector. against a decision passed by him, declaring land liable to assessment, or when a Collector may have reason

In certain cases, Collectors are to stay execution of Decrees in cases appealed.

to

to believe that it is the intention of the party against whom such decision may have been passed, to appeal therefrom within the period limited by the above Regulation, he shall not proceed to carry the decree into execution, until after the expiration of that period, unless he shall be sooner apprized that an application on the part of the appellant to stay execution of the decree has been rejected by the Special Commissioner, in which case, or otherwise after the expiration of the period limited for appealing, he may proceed to execute the decree, unless prohibited from so doing by order of the Special Commissioner.

When Petition of Appeal is filed before the Special Commissioner, he may order execution to be stayed.

XII. Provided also, that in cases in which the Petition of Appeal may be filed before a Special Commissioner, if, on a perusal of the decree, he shall see reason to direct execution thereof to be suspended, an order to that effect shall be issued to the Collector, along with the requisition for the original record of the cause directed to be issued in the Eighth Section of these Rules.

RULES RELATIVE TO PLEADINGS.

Petition of Appeal to be written on stampt paper value One Rupee.

XIII. Every Petition of Appeal from the decision of a Board of Revenue, or of a Collector, which may be preferred to a Special Commissioner, under the Provisions of Regulation III. 1828, shall be written on stampt paper of the value of One Rupee.

Petition may contain grounds of appeal, or they may be advanced in a separate pleading, but if the latter, such pleading to be written on stampt paper value One Rupee.

XIV. It shall be at the option of the appellant to enter the grounds of his appeal in detail in the Petition for the admission of his appeal, or to reserve his arguments to be brought forward

forward in a separate pleading, but in the event of his adopting the latter course, such pleading shall be written on stampt paper value One Rupee.

XV. In appeals, wherein an Officer of Government is the party respondent, the reply to be filed to the grounds of appeal is to be written on stampt paper value One Rupee, and a reply, either in express refutation of the pleas of the appellant, or generally resting the defence on the grounds recited in the decree appealed from, shall be required in every case.

Reply of Government to be written on the same paper, and always to be put in.

XVI. In cases referred by the Revenue Boards for revision to the Special Commissioners, under the Rule in Clause Fourth, Section IV. Regulation III. 1828, the Board referring the case shall be required, in reply to the reference, to direct the Superintendent and Remembrancer of Legal Affairs, or some other public Officer, to file a pleading containing the grounds on which the Board are dissatisfied with the Collector's decree, and such pleading shall be written on stampt paper value One Rupee.

In cases referred for revision by Revenue Board, under Clause 4, Section IV. Regulation III. 1828, Boards to direct a public Officer to file a pleading containing grounds of dissatisfaction: such pleading to be written on stampt paper value One Rupee.

XVII. The reply of the party opposed to Government, in cases of the above description, shall likewise be written on stampt paper value One Rupee.

Reply of respondent to be written on similar paper.

XVIII. No miscellaneous Petition or pleading of any kind, beyond the Wujoohat of the appellant, and the reply of the respondent, shall be admitted, unless on a verbal representation by the parties or their agents, before the Commissioner, such additional

No further pleadings to be admitted, except under special circumstances.

additional pleading or miscellaneous Petition shall appear necessary, but when admitted to be so by the Commissioner, and allowed to be filed, it shall be written on stampt paper value One Rupee.

Above Rule not to apply to Petitions of suspending execution of decrees, pending appeal.

XIX. The foregoing Rule is not, however, to be construed to prevent the admission, by the Special Commissioners, of Petitions presented solely for the purpose of staying execution of decrees, which Petitions may be received and acted on at any time, pending the decision of an appeal.

Petitions for review, on what paper to be written.

XX. With reference to the provisions for a review of judgment contained in the Fifth Clause of Section IV. Regulation III. 1828, it is provided that all Petitions for review of judgment, which may be presented to the Special Commissioners, shall, if presented within two calendar months from the date of the decision of which review is prayed, be written on stampt paper value One Rupee: but if presented after the expiration of the above period, such Petition shall be written on the stampt paper prescribed in Section XIII. Regulation I. 1814, calculated at the computed annual produce of the land in dispute.

RULES REGARDING DEFAULT.

An appellant defaulting for six weeks, to be called on by a notice to appe

XXI. If any appellant shall not, within the period of six weeks from the date of instituting his appeal, if preferred direct to a Commissioner, or, if filed at the Collector's office, from the date on which he may receive notice that the record of the case has been transmitted to the Commissioner, either attend

in

in person, or appoint an agent as hereinafter provided, and prosecute his appeal, a further notice shall be issued by the Commissioner, through the Zillah or City Court, requiring such appellent to attend and prosecute his appeal within fifteen days from the date of the receipt of such notice. If the Peon charged with the service of the notice cannot serve it upon the appellant personally, he shall proclaim the same at the dwelling of the appellant in the presence of witnesses, and such proclamation shall be deemed equivalent to personal service; and if the appellant shall afterwards omit or refuse to attend the Commissioner within the prescribed period, his appeal shall be dismissed with Costs.

What to be deemed due service of such notice.

XXII. If an appellant, after having appointed an agent to plead his cause, shall neglect to prosecute the same for a period of six weeks, a requisition by the Commissioner to such agent to proceed in the case within fifteen days, shall be held equivalent to a notice to the appellant, and in the event of his not so proceeding, his appeal shall be dismissed.

If appellant defaults after appointing an agent, a requisition to such agent to be held sufficient notice.

XXIII. All notices required to be served on any Officer of Government concerned in a suit before the Commissioners, shall be delivered to the agent appointed on behalf of Government at each Commissioner's Cutcherry, who shall give a receipt for the same, and transmit a copy thereof to the Officer concerned, and return the original to be filed on the record.

All notices of Government Officers to be delivered to the Government agent.

XXIV. Should

RULES RELATING TO EVIDENCE AND FEES.

If further evidence, oral or documentary, is received, no stamp fees shall be levied from the parties for witnesses or documents.

XXIV. Should the Special Commissioners, acting on the discretion vested in them, in common with the ordinary Courts of Justice, by the Third Clause of Section X. Regulation III. 1828, deem it necessary or proper to receive further evidence, oral or documentary, in any case depending before them, no stamp fees shall be levied from the parties for summoning witnesses or filing exhibits.

Further evidence of witnesses required, to be taken by Zillah or City Judge on specific points.

Party may produce his witness himself or undertake the service of subpœna on him.

Same course when a witness is required to be examined before a Commissioner.

XXV. If, in any case, the Special Commissioners shall deem the further evidence of witnesses necessary, they shall be summoned and examined by the Judge of the Zillah or City within which they may reside, on specific points indicated by the Commissioners and recorded on their proceedings. If a party, at whose instance a witness may be summoned, will undertake himself to produce him, or to serve the subpœna on him, he shall be allowed to do so, otherwise, the process shall be served by a Peon of the Zillah or City Court, under the ordinary Rules in force: the same course shall be followed whenever it may be considered necessary to examine a witness before any of the Special Commissioners.

RULES RELATIVE TO MOKHTARS, OR AGENTS, AND THEIR REMUNERATION.

Parties may plead themselves, or appoint agents.

XXVI. Every party whose case may be depending under Regulation III. 1828, before a Special Commissioner, shall be at liberty, if he chooses, to attend and plead his own cause in person, or to appoint a Mokhtar or Agent, specially for that purpose.

Regular Power of Attorney appointing an agent to be executed, and filed on the record.

XXVII. Every person who may appoint an agent, as above authorized, shall execute a regular Power of Attorney in such

such agent's name, and the execution of such instrument, which may be written on unstamped paper, shall be attested by some European public Officer, and it shall be filed on the record of the case.

XXVIII. The parties in cases before the Commissioners, are not to be restricted in the appointment of agents to any particular number of individuals, provided that the persons appointed shall appear to the Commissioners to be of good character and respectability.

The parties not restricted in choice of agents to any particular number of individuals, but they must be of good character.

XXIX. The parties shall be at liberty to make such arrangements in regard to remuneration for their services with the Mokhtars or Agents whom they may appoint, as may be agreed on among themselves; provided, however, that if, on the decision of the case, the parties shall disagree as to the sufficiency or otherwise of the terms agreed on, the amount shall be fixed by the Commissioner, or Commissioners, by whom the case is decided, provided also that if any Mokhtar shall, (without waiting for the final adjustment of the matter as above provided for at the time of decision) decline to act further for his principal, he shall, if the latter demand it, be required to refund any sum which he may already have received for undertaking the conduct of the cause.

Parties at liberty to settle with their Mokhtars the amount of remuneration to be paid for their services.

If they disagree, the Commissioners finally deciding may fix the amount.

But if Mokhtar will not await final decision, he shall refund what he may have received.

XXX. Every Agent or Mokhtar, who may be appointed to conduct a cause before the Special Commissioners, shall be subject to fines and other penalties for neglect, contempt of Court

Mokhtars to be subject to fine, &c. for neglect and misconduct, as pleaders of the Courts of Justice are.

Court or other misbehaviour, to the same extent, and in the same manner, as the regular pleaders of the Courts of Justice are subject by the Regulations.

An agent to the appointed on behalf of Government at each Cutcherry where the Commissioners sit.

Rules relative to Government pleaders to apply to him, as well as the Rules for other agents employed by the parties before the Commissioners.

XXXI. An agent shall be appointed, (if approved by Government) by the Superintendent and Remembrancer of Legal Affairs, to attend on behalf of Government at each Cutcherry, where suits may be heard and determined by the Special Commissioners, and such agent shall be remunerated by a fixed salary, or in such other manner as the Governor General may be pleased to determine; the agent so appointed shall moreover be liable to all the Rules applicable to Government pleaders, as well as to the Rules prescribed for the agents who may be employed by individuals to plead before the Commissioners.

RULES RELATIVE TO DECREES AND COSTS OF SUIT.

Where Commissioners interfere as to agents' remuneration, the final sum awarded to be entered in the decree as costs.

Provision also to be made for the mode in which all costs are to be borne by parties.

XXXII. In giving judgment in each case, if the Special Commissioners shall see reason to interfere in regard to the compensation to be paid by the parties to the agents employed to plead their causes, the amount of remuneration finally authorized shall be inserted as costs at the foot of the decree; distinct provision shall likewise be made in every decree as to whether the party against whom it is passed is, or is not, to bear the whole or any portion of the expences, which may have been incurred by the party opposed to him, including, of course, costs of the nature indicated in the Seventh Clause of Section II. Regulation III. 1828, in cases to which that Clause may be applicable.

XXXIII. The

XXXIII. The original decrees of the Special Commissioners, intended to be kept with the records of the cases, as well as three counterparts, to be disposed of as underneath directed, are to be transcribed on plain paper, but of European manufacture exclusively; one counterpart shall, as soon as practicable, be delivered to the party opposed to Government: one counterpart shall be transmitted to the Collector of the district in which the land is situated: and the remaining counterpart shall be forwarded to the Board of Revenue, or other authority exercising the powers of a Board of Revenue, under the control of which such Collector may be placed. All other copies of the decrees of the Commissioners, which parties may require for private use, or as documents to exhibit in evidence, shall be made at the expence of the parties on plain or stampt paper, under the general Regulations in force; but such copies shall only be permitted to be prepared by persons duly authorized by the Commissioners.

Original decree and three counterparts to be prepared on English paper, and how to be disposed of.

All other copies to be made as directed by the Regulations in force.

XXXIV. In transmitting a counterpart of the decree, as above directed, to the Collector, the Commissioner, by whom it may have been passed, shall accompany it by instructions to that Officer, to carry it into immediate execution, and to report, within a given period, the measures which he may have adopted for that purpose.

Commissioner in transmitting counterpart of decree to Collector, to order him to execute it, and report progress thereon.

GENERAL RULES.

XXXV. In all matters not specially provided for in the foregoing Rules, or in Regulation III. 1828, the course of proceeding shall be conformable to the Rules in force for the guidance of

Unless otherwise provided, the Commissioners to be guided by Regulations in force for the trial of appeals.

of the Courts of Justice in the trial and decision of regular appeals.

Any Commissioner proposing new Rules, to submit his draft before it is sent to Government to the other Commissioners for their opinions, which are to accompany the reference.

XXXVI. With a view to ensure uniformity in the proceedings and practice of the several Special Commissioners appointed to act under Regulation III. 1828, it is hereby provided, that whenever it may be deemed necessary by any Special Commissioner, to propose Rules of Practice, either original or in modification of the present Rules, he shall transmit a draft of such Rules to each of the other Commissioners acting under the Regulation, with a request that they will record their sentiments on the expediency or otherwise of the proposed Rules, so that the draft, when transmitted for the consideration of Government by the Commissioner with whom it may originate, may be accompanied by the observations of all the Commissioners.

FORM A.

Register of Lakheraj Cases before the Special Commissioner appointed under Regulation III. 1828, *for the Division of*

Number of Appeal.	Names of Parties.	District in which the land is situated.	Substance of the Decree appealed from.	Date of the Decree appealed from.	Date of Appeal.	Date and Substance of final decision.

A. D. 1828. REGULATION IV.

A REGULATION *to declare and extend the powers to be exercised by Collectors, when making or revising settlements, under the provisions of Regulation VII.* 1822.—*Passed by the Governor General in Council on the 7th August* 1828, *corresponding with the 24th Sawun* 1235 *Bengal Era; the* 12*th Sawun* 1235 *Fusly; the 25th Sawun* 1235 *Willaity; the* 12*th Sawun* 1885 *Sumbut; and the 25th Mohurrem* 1244 *Higeree.*

Preamble.

WHEREAS it appears to be expedient that the powers specified in Section XVI. Regulation VII. 1822, should be generally vested in Collectors and other Officers performing the duties of Collectors, when employed in making or revising settlements according to the provisions of that Law, and that the jurisdiction of the said Officers in such cases should not be barred by summary decisions passed by Magistrates or Joint Magistrates, under the rules of Regulation XV. 1824, the following

following rules have been enacted, to be in force from the date of their promulgation, throughout the Provinces subject to the Presidency of Fort William.

Collectors and other Officers engaged in making settlements of Muhals, to hear, try, and determine all claims to property and possession of the lands lying or alleged to lie within the same.

And to give possession to parties, subject to orders of the Boards of Revenue, and to revision of the Zillah and Provincial Courts in regular suit.

II. *First.* It shall be competent to all Collectors and other Officers engaged in making or revising the settlement of any Mehal, to hear, try, and determine all claims to the property and possession of the lands lying, or alleged to lie within the same, or the rent or produce or any appurtenance thereof, and to give possession to the party, who may appear to have the best title, subject to the orders and directions of the Board, to which they are respectively subordinate, and further subject to the revision of the Zillah or Provincial Court on a regular suit. And no decision passed by a Collector under this Section, shall be disturbed by any Court of Judicature, otherwise than after a full and regular investigation of the merits.

Decision of Collectors not to be disturbed by Courts of Judicature, without a full and regular investigation of merits.

Section III. Regulation XV. 1824, modified.

Second. In modification of the rule contained in Section III. Regulation XV. 1824, it is hereby declared and enacted, that summary decisions passed by Magistrates and Joint Magistrates, under the authority given to them, may be revised, altered or reversed by Collectors or other Officers, exercising the powers vested in them by this Regulation, intimation of such revision, alteration, or reversal being invariably given to the Magistrate or Joint Magistrate of the division in which the original decision was passed, and the parties in whose favor judgment may be passed by the ~~last mentioned Officers~~ Collectors or other officers above mentioned, shall be maintained in possession, until the decision shall be altered or reversed

reversed by a superior Board or by a competent Civil Court, on the institution and determination of a regular suit.

Third. If in any case, in which a Collector or other Officer, vested with the powers of Collector may have held proceedings under Regulation VII. 1822, previously to the enactment of this Regulation, it shall appear to the Board of Revenue or to Government, that Justice has been denied to any one because of his not having exercised the authority, which such Officers are, by this Regulation, empowered and required to exercise, or in consequence of his jurisdiction having been disallowed, it shall be competent to the Board and to the Governor General in Council, to direct the said Officer or any other Officer exercising similar functions, to hold supplementary proceedings, for the trial and determination of the claims of the party so appearing to be aggrieved, with the same powers as if he had originally proceeded under the present Regulation.

The Board of Revenue and Government may direct Collectors to hold supplementary proceedings, in cases in which there may be reason to think that justice has been denied from want of authority on the part of Collectors.

Fourth. To prevent doubts as to the period, for which Collectors, and other Officers aforesaid, are to possess the powers vested in them by this Regulation, and by Regulation VII. 1822, in regard to any Mehals of which the settlement may have been or may be about to be made or revised, it is hereby declared and enacted that they shall be held and considered to be engaged in making and revising such settlement from the date on which they may have issued or may issue orders for adjusting the boundaries, for measuring any of the lands, or for making a Census of the Inhabitants of any Village or portion

Period defined, during which Collectors are to be considered to be engaged in making and revising settlements.

portion of a Village belonging to such Mehal, of which intimation shall be given to the Magistrate or Joint Magistrate within whose division the Village shall be situated, up to the day on which they may be informed that the settlement, as made and revised by them, has been finally confirmed by Government. During the aforesaid period, the powers vested in Magistrates and Joint Magistrates by Regulation XV. 1824, shall be suspended in regard to all Mehals, of which the settlement may be so in progress: and the said Officers shall be guided, in respect to such Mehals, by the provisions of Clause 2. Section XXXIV. Regulation VII. 1822, by which they were required to refer to the Revenue authorities, disputes regarding lands, premises, crops, watercourses, and the like. And all Police Officers are required to give immediate and efficient support to Collectors and other Revenue Officers in the execution of their duties.

The powers vested in Magistrates and Joint Magistrates by Regulation XV. 1824, to be suspended for such period, and those Officers to be guided by the rules of Clause 2, Section XXXIV. Regulation VII. 1822.

Police Officers to give immediate and efficient aid to Collectors.

Erratum, in the tenth line of Clause Second, Section II. Regulation IV. 1828.

For "the last mentioned Officers," read "the Collectors or other Officers abovementioned."

A. D. 1828. REGULATION V.

A REGULATION *for authorizing the Zillah and City Courts to execute awards of Military Courts in certain cases. Passed by the Governor General in Council on the 28th August,* 1828, *corresponding with the* 14*th Bhadoon* 1235 *Bengal Era; the 3d Bhadoon* 1235 *Fusly; the* 15*th Bhadoon* 1235 *Willaity; the* 4*th Bhadoon* 1885 *Sumbut, and the* 16*th Suffer* 1244 *Higeree.*

Preamble.

WHEREAS the Rules for the execution of awards of Military Courts, acting under the Provisions of Section XXII. Regulation XX. 1810, have, in some instances, been found defective, the following Rules have been enacted to be in force from the period of their promulgation.

Judges of Zillah and City Courts to give effect to awards of Military Courts in certain cases.

II. Whenever an award of a Military Court, acting under the Provisions of Section XXII. Regulation XX. 1810, against a defendant being a Native of the description mentioned in the said Section, shall decree a sum beyond the extent of the

the property which such defendant may be found to possess within the reach of Military authority, but not exceeding Two Hundred Rupees, it shall be competent to the Judge of any Zillah or City to give effect to such award, by levying the amount, or a portion of it, from any of the defendant's property which may be pointed out within the jurisdiction of the said Zillah or City, on being furnished with a copy of the award, and a certificate from the Commanding Officer of the District, of the extent of the amount unrealized; and the Zillah or City Judge to whom such application shall be made within the period of Three Months, from the date of the award, is hereby authorized and directed to proceed to execute the same in the mode prescribed by the existing Regulations for the sale of property, in the execution of Decrees when passed by a Zillah or City Court.

A. D. 1828. REGULATION VI.

A REGULATION *to explain the intent and meaning of certain parts of Regulation II.* 1823:—*Passed by the Governor General in Council on the* 4*th September*, 1828, *corresponding with the* 21*st Bhadoon* 1235 *Bengal Era; the* 10*th Bhadoon* 1235 *Fusly; the* 22*d Bhadoon* 1235 *Willaity; the* 11*th Bhadoon* 1885 *Sumbut, and the* 23*d Suffer* 1244 *Higeree.*

Preamble.

WHEREAS the minimum of punishment in cases of affray attended with homicide, established by Regulation II. of 1823, was more particularly intended to apply to cases in which the parties might resort premeditatedly to that mode of adjusting their disputes, and was not meant to apply to affrays arising on a sudden on some altercation or dispute between the parties, nor to assaults in which the assailed might resist the assaulters in their own defence, and it being deemed expedient to define the meaning and purport of Regulation II. of 1823, more particularly; the following Rules have been passed, to be in force

force from the time of their promulgation throughout the Territories immediately depending on the Presidency of Fort William.

Minimum of punishment fixed by Regulation II. of 1823, to what cases applicable.

II. The minimum of punishment in cases of affray attended with homicide, established by Regulation II. of 1823, shall be considered to apply to such cases only, in which both parties may be found guilty of having had resort, by premeditation, to that mode of adjusting their differences, and shall not be deemed applicable to cases arising out of a sudden quarrel, in which no premeditated purpose of affray may be established, nor to assaults or other aggressions in which the assailed party may not be shewn, by their previous preparation, or in any other way, to have been ready and intent to meet their adversaries in the field of combat; nor shall it be construed to apply to cases of affray attended with homicide in which persons guarding and protecting crops, grain, or property in a legal manner, may be attacked by persons trespassing, or others, or who in legal and just defence of the property under their charge, may resist aggression in self defence; in all which cases the Circuit Judges agreeing with the Futwahs of their Law Officers, shall pass such legal sentence as may be suitable to the offence of the several parties, the same as if Regulation II. of 1823, had no existence.

A. D. 1828. REGULATION VII.

A REGULATION *for amending the provisions of Regulation XV.* 1795, *and for defining the authority of the Rajah of Benares in the Mehals therein referred to:—Passed by the Governor General in Council on the* 12*th September*, 1828, *corresponding with the* 29*th Bhadoon* 1235 *Bengal Era; the* 18*th Bhadoon* 1235 *Fusly; the* 30*th Bhadoon* 1235 *Willaity; the* 3*d Bhadoon* 1885 *Sumbut, and the* 1*st Rubee-ul-uwal* 1244 *Higeree.*

Preamble.

By an arrangement concluded in the year 1794, with Rajah Mahipnerain Sing, the administration of Justice in the Jagirs of Bhurdoee, Kera Mungrore, and that part of Pergunnah Kuswar or Gungapore, which is the Rajah's family Zemindarry, so far as relates to matters connected with the Revenue, was separately provided for, and in conformity thereto the Courts of Justice were restricted by Regulation XV. 1795, from taking cognizance of any such causes. The management of these Mehals was committed to the Rajah, with a view to the maintenance of his honor and dignity, but it was to be conducted in

concert

concert with, and under the advice of, the Collector, and with an appeal direct to the Governor General in Council; an arrangement, which was obviously intended to secure to the population the observance of the same principles of administration, and the same recognition of rights, by which the Government had engaged to adhere in its dealings with the rest of its subjects throughout the Province. Inconveniencies, however, having been experienced, from the absence of specific Rules, for the guidance of the Rajah, in the exercise of the privileges thus conferred upon him, and the system having in other respects failed to accomplish the objects intended by it, the following provisions have been enacted to be in force, throughout the whole of the Mehauls in question from the date of their promulgation.

Clause Sixth, Section XVII. Regulation II. 1795, Section VIII. Regulation V. 1795, and Regulation XV. 1795, modified.

II. Clause Sixth, Section XVII. Regulation II. 1795, Section VIII. Regulation V. 1795, and Regulation XV. 1795, are hereby declared subject to the following modifications.

The Superintendance of Bhurdoee and other Mehals, constituting the family domain of the Rajah of Benares, to be vested in such Officer as the Government may appoint.

III. The Superintendance of the Mehauls above mentioned shall be vested in such Officer as the Governor General in Council may, from time to time, by an Order in Council, appoint.

The administration of Justice in matters connected with Revenue to be conducted through the agency of the Rajah.

IV. The administration of Justice, in all matters connected with the Revenue, shall continue to be conducted through the agency of the Rajah, under the restrictions herein provided, but the reservation of this privilege shall not be understood as divesting the population of any of the rights and

Proviso.

interests

interests connected with the occupation, possession, or transfer of land, whether by sale, gift, or inheritance, or the produce of it, which immemorially belong to them, and are enjoyed by similar classes throughout the rest of the province.

V. *First.* No Mofussil or detailed settlement having been formed within the Mehauls in question by the authority of Government, the assessment of the land, and the settlement of the several villages comprized in them, shall be made through the channel of the Rajah, who is to be guided in all matters relative thereto by the general Rules in force within the province of Benares, applicable to such cases.

A detailed settlement of the lands to be made by the Rajah, under the general rules in force.

Second. In the selection of parties to engage, those individuals shall be considered entitled to preference, who, had a detailed settlement been extended to these Mehauls, under the Regulations of 1795, would have been recognised as Zemindars.—Such individuals shall be recorded, under the designation of Raees, and the tenures so belonging to them, shall be considered heritable and transferable, subject to the conditions in regard to the payment of the Jumma assessed upon them, and under which they may be admitted to engagements. When there may be no Raees entitled to claim admission, or where the latter may refuse to engage on just terms, the settlement shall be made for a fixed period with farmers, unless the Rajah should prefer making a Ryotwarry settlement, and collecting the public dues, through his own Officers, immediately from the Ryots.

Rules for selecting the parties to be admitted to engage for the payment of the Revenue.

Third. The

Rules for fixing the assessment of Malgoozaree lands.

Third. The assessment of all lands not entitled to be considered rent free, under the Rules contained in Regulation XLI. 1795, shall be fixed with reference to their produce and capability, as ascertained at the time when the revision of the settlement may be made. But the assessment shall not be raised above the amount heretofore paid, unless it shall clearly appear that the net profits derived from the land, by those who may be entitled to share in them, would, under the usage of the province, and the rules applicable to such cases, authorize the increase demanded.

Admission to engagements not to affect the rights or interests of co-sharers or other tenants, excepting in so far as may be specially authorized.

Fourth. In admitting particular parties to engagements, such parties shall not be considered as invested with any rights over their co-sharers, or under tenants, not previously possessed by them, excepting in so far as may be authorized by the Regulations for realizing the public revenue; all questions therefore between Putteedars and sharers, inheriting or claiming to inherit joint or distinct portions of a tenure, or the produce thereof shall, notwithstanding such admission, be considered open to adjustment on the principles observed in similar cases throughout the province, and all questions regarding the right to possession of Khoodcasht and Chuppurbund Ryots, shall be adjusted on the same principles.

Points to be ascertained and recorded on the occasion of making or revising settlements.

Fifth. It shall be the duty of the Rajah, on occasion of making or revising settlements of land Revenue in any of the Mehauls referred to in Regulation XV. 1795, to unite with the adjustment of the assessment, and the investigation of the

the extent and produce of the lands, the object of ascertaining and recording all material points connected with the rights, interests and privileges of the various classes of his tenantry. His proceedings therefore shall embrace the formation of as accurate a record as possible of all persons found in possession of the soil, with a specification of the nature and extent of the interests respectively enjoyed by them. The record shall likewise specify the rates per Beegah of each description of land, or kind of produce in every distinct village. All Lakheraj tenures shall, at the same time, be carefully registered, with a detail of every particular connected therewith. The proceedings shall likewise contain the names of the Putwarries and village watchmen, with a statement of the amount and nature of the allowance assigned to each.

And Lakheraj tenures to be registered, with detail of particulars.

Sixth. In cases where two or more persons may possess a joint property in any Mehaul, or in the rent or produce thereof, or in cases where such property may be separately possessed by parties subject to common obligations, it shall be competent to the Rajah, either to make a joint settlement with the parties collectively, or with a portion of them selected to undertake the management as village Malgoozars; due regard being paid to the wishes of the co-parceners, who, until regularly separated, shall continue to hold their lands as subordinate proprietors, subject to the payment of rent, or revenue, at the rates and in the mode heretofore in use or otherwise provided for by the Regulations for the Province of Benares.

Rules for Estates held in joint property.

Seventh. When

Responsibility of parties under engagements, and of the Putteedars and sharers.

Seventh. When parties enter into engagements, who do not possess the entire proprietary right, but may be elected as managers by the co-parcenery in general, the non-engaging parceners shall not be held answerable for the default of those individuals, save and except the portion of rent or revenue demandable from them respectively. The rights and interests distinct or common of the Putteedars or sharers, shall not be prejudiced in other respects by such engagements, and all disputes between the said sharers and the engaging proprietors, shall be determined according to what shall be ascertained to be the respective rights of the parties, agreeably to the principles of justice, and the laws, customs and usages of the province.

Disputes between them how to be determined.

Proprietary rights in the land may be transferred by sale, gift, mortgage, or otherwise.

VI. *First.* All proprietors of land in the province of Benares, being privileged to transfer to whomsoever they think proper, by sale, gift, mortgage, or otherwise, their proprietary right in the whole, or any portion of their respective estates, provided that such transfers be conformable to the Hindoo or Mahomedan Laws, according to the religious persuasion of the parties, and to the Regulations in force, it is hereby declared that all such assignments within the tracts, to which this enactment refers, shall be held equally valid, subject to the conditions in regard to leases, and the allotment of Jumma, prescribed by the Regulations, provided always that the same be duly notified to the Rajah, otherwise the consequences of omitting to make such notification on similar occasions to the Collector, will, in like manner, attach to all such transfers; the rules and restrictions applicable to Collectors being also applied

The same to be duly notified to the Rajah.

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to the Rajah subject to the orders of the Superintendent, who shall, in this behalf, possess and exercise the powers and authority of the Board of Revenue.

Second. In all cases, either of transfer or inheritance, the Rajah, on application being made for that purpose, shall proceed to record the mutation, and shall take such other steps for securing the rights and interests both of the public and of individuals, as the Collectors are required to do on similar occasions in the Benares province.

In cases of transfer or inheritance, the Rajah to record the mutation on application, and to proceed as the Collectors are required to do.

VII. The decision of the Rajah, or his Officers, on all points connected with the foregoing provisions, shall undergo the revision of the Superintendent, to whom the whole of the proceedings on the settlement or transfer of any Estate, shall be certified, and who, after calling for such further information as may appear necessary, shall confirm, modify or annul the same as he thinks proper; and the orders thus passed by the Superintendent shall be final, unless altered or set aside by the Governor General in Council.

The decision of the Rajah on the foregoing provisions, subject to revision by the Superintendent, whose orders to be final, unless set aside by Government.

VIII. The following rules are prescribed for the guidance of the Rajah and his Officers, in realizing the public revenue.

Rules, for realizing the public revenue.

IX. The Regulations at present in force within the province of Benares, for enabling proprietors and farmers of land to realize their rents with punctuality, for prescribing the process by which the revenue authorities are to collect the revenue payable

The Regulations in force at Benares, for realizing the public revenues, extended to tracts referred to in Regulation XV. 1795.

payable to Government from the lands, for the imprisonment of defaulters, and for securing the ultimate recovery of arrears by a sale of the landed property from which it may be due, are hereby extended, as far as they may be applicable to the tracts referred to in Regulation XV. 1795.

The Rajah authorized to exercise the powers of a Collector as far as regards the collection of the Revenues, exclusive of the powers vested in him as Zemindar.

X. Exclusive of the powers vested in the Rajah as Zemindar, by which he may distrain and bring to sale, in the mode prescribed by the Regulations, the personal property of under Zemindars, Farmers, Ryots or other description of landholder, for arrears of rent or revenue, he is hereby moreover authorized, as far as regards the collection of the same, to exercise the powers of a Collector, as defined in the Regulations, within the tracts in question, subject to such restrictions and responsibility as may be now or hereafter imposed by this or any future enactment.

Sale of lands for arrears of Revenue, or under Decrees of Courts, to be held in the presence of the Rajah or his Deputy, and the Rules of Regulation XI. 1822, to be observed in such cases.

XI. Whenever it may be necessary to resort to the sale of lands for the recovery of arrears of Revenue, or whenever a sale of lands may be required in satisfaction of the Decrees of the Courts of Judicature, the sale shall be held in the presence of the Rajah, or his Deputy, either in the public Kutcherry, or such other open or convenient place within the Pergunnah to which the lands belong, as may be specified in the advertisement, and the course of proceeding directed in regard to sales by Regulation XI. 1822, shall be considered applicable, and the validity of such sales held contingent on the fulfilment of the several conditions therein specified.

XII. The

XII. The whole of the powers, which are exercised by the Boards of Revenue over the Collectors in regard to sales of land, as well as in all matters relative to the collection of public revenue, are hereby vested in the Superintendent, and the Rajah shall consider himself in the exercise of the privileges with which he is intrusted, as standing in the same relation towards that Officer, as the Collectors at present stand towards the Board.

The powers exercised by the Boards of Revenue, in regard to sales of land and collection of Revenue vested in the Superintendent, and the Rajah to stand in the same relation towards that Officer, as Collectors are towards the Boards.

XIII. From the orders of the Superintendent, in all such cases, there shall be no appeal but to the Governor General in Council, and the Civil Courts are not competent to take cognizance of any complaint, from any party soever, contesting the validity of a sale, or claiming rights or interests connected with land, or the rents thereof, within the tracts in question.

From the orders of the Superintendent, an appeal to lie to Government. Civil Courts prohibited from taking cognizance of complaints relating to lands.

XIV. All complaints of a breach of the Rules herein prescribed, for the guidance of the Rajah and his Officers, in the exercise of the powers thereby entrusted to them, or of unnecessary severity in the execution of them, are declared cognizable by the Superintendent, who shall cause substantial justice to be rendered to the parties in the same manner as would have been done under the Regulations, had such complaints been cognizable by the regular Courts, provided only that when the offence alleged would authorize a criminal prosecution, the complaint shall be referred to the Magistrate, who will proceed to the

Complaints against the Rajah and his Officers, for breach of these rules, to lie to the Superintendent.

If offence alleged, be of a criminal nature, the complaint to be referred to the Magistrate.

the decision thereof under the Regulations in the same manner as if it had been originally preferred to him.

Certain offences to enforce payment of arrears of rent strictly prohibited, and to subject the offender to prosecution before the Criminal Court.

XV. Torture, personal violence, and every description of corporal punishment to enforce the payment of arrears of rent or revenue, within the tract in question, are hereby strictly prohibited; and any one offending against this prohibition, shall, on the complaint of a person so punished, be liable to prosecution before the Criminal Courts, and shall be dealt with, on conviction, as the Regulations require in such cases.

A Native Commissioner to be maintained by the Rajah in each Pergunnah to take cognizance of Revenue causes.

XVI. In order to secure for the inhabitants of these Mehauls, the administration of Civil Justice on the principles in force throughout the rest of the province; a Native Commissioner shall be maintained by the Rajah in each of the Pergunnahs referred to in Regulation XV. 1795, for the purpose of taking cognizance, in the first instance, of the Revenue causes hereafter specified.

The nomination of the individuals will be made by the Rajah, but the confirmation to rest with the Superintendent.

XVII. The nomination of individuals to the Office of Native Commissioner will be made by the Rajah, but previous to such appointments taking effect, he shall communicate what information he may have obtained regarding the age, character, and past employment of the individuals in question to the Superintendent, who shall withhold his concurrence in cases of notorious bad character or incapacity, having regard, however, as far as possible, in the mode of doing so, to the Rajah's honor and dignity.

XVIII. No

XVIII. No Native Commissioner appointed under this Regulation shall be removed from office without sufficient cause, and in all cases of removal, the Rajah shall act in concert with, and by the advice of, the Superintendent.

The Native Commissioner not to be removed from office, and the Rajah to act in cases of removal in concert with and by the advice of the Superintendent.

XIX. The Native Commissioners shall be liable to a criminal prosecution for corruption, extortion, or other gross misdemeanor, and on conviction before the Court of Circuit, shall be subject to fine and imprisonment, proportionate to the nature and circumstances of the case.

The Native Commissioners liable to Criminal prosecution for certain offences, and to fine and imprisonment on conviction.

XX. Persons invested with the powers of a Native Commissioner, under this Regulation, are authorized to receive, try, and determine, all suits preferred to them, against any inhabitant of their respective jurisdictions, relative to land of every description, or the rent, revenue, or produce thereof situated therein, provided the cause of action shall have arisen within the period of twelve years previously to the institution of suits.

Powers and authority of a Native Commissioner.

XXI. In receiving, trying and determining such cases, the Native Commissioners shall be guided by the Rules contained in Regulation XXIII. 1814, and in points not expressly provided for in that Regulation, they shall observe as nearly as may be practicable the Rules prescribed for the guidance of the Zillah and City Courts, in the trial and decision of Civil suits.

Rules for the guidance of the Native Commissioner.

XXII. The Rule, which prohibits Native Judicial Officers from taking cognizance of cases, in which a British Subject, or

Exception.

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an European foreigner, or an American, may be a party, shall not be held applicable to the Native Commissioners, appointed under this Regulation.

Native Commissioners to execute their decisions, subject, in cases of appeal, to instructions of the Superintendent.

XXIII. The decision of the Native Commissioners shall be executed by themselves, under the Rules prescribed in the general Regulations for the execution of decrees, provided however that, if the case be appealed, the Commissioner shall be guided by such instructions relative thereto, as he may receive from the Superintendent.

The proceedings of the Native Commissioners subject to revision by Superintendent, in cases appealed within six months.

XXIV. The proceedings of the Native Commissioners shall be subject to the revision of the Superintendent, who, in the event of an appeal being preferred to him within the period of six months from the date of any such decision, will call for the papers, and after directing such further investigation to be held, as he may judge necessary, will confirm, modify or annul the order or decision of the Native Commissioner, as may appear proper; provided always, that it shall be competent to the Governor General in Council to supersede the order of the Superintendent, on being referred to by either party for that purpose.

Government empowered to supersede the order of the Superintendent, if referred to.

Penalties for resistance of process declared applicable to cases under this Regulation.

XXV. The penalties prescribed by the Regulations for resistance of process in Revenue or Judicial matters, are hereby declared applicable to all cases of the same nature, arising out of the process provided for by this enactment.

XXVI. It

XXVI. It is hereby further declared and enacted, that, except when otherwise directed by the foregoing provisions, the Revenue and Judicial administration of the Mehauls herein referred to, shall be regulated by the principles and spirit of the existing Regulations, and where those may not be applicable, by equity and good conscience.

The Revenue and Judicial administration of the Mehauls herein referred to, to be regulated according to the Regulations, except when otherwise directed by this Regulation.

A. D. 1828. REGULATION VIII.

A REGULATION *for enlarging the Powers of the Magistrates, with regard to the offence of Affrays:—Passed by the Governor General in Council on the 16th October, 1828, corresponding with the 1st Cautick 1235 Bengal Era; the 23d Assin 1236 Fusly; the 2d Cautick 1236 Willaity; the 8th Assin 1885 Sumbut, and the 6th Rubee-us-sanee 1224 Higeree.*

WHEREAS with a view to the more effectual prevention of Affrays, it has been deemed expedient to enlarge the Powers given to the Magistrates in punishing that offence, the following Rules are enacted by the Governor General in Council, to be in force from the date of their promulgation within the Territories immediately subject to the Presidency of Fort William. Preamble.

II. Regulation I. of 1822, is hereby amended. Regulation I. 1822 amended.

III. In

Extension of Magistrates' Powers of punishment.

III. In the cases to which Regulation I. 1822, relates, viz. Affrays unattended with homicide, severe wounding, or other aggravating circumstances, the Magistrates shall be competent to punish the offender by imprisonment with or without labour and Irons, for a period not exceeding One Year, and a fine not exceeding Rupees Two Hundred, to be commuted if not paid, to a further period of imprisonment not exceeding One Year, so that the whole period of imprisonment shall in no case exceed Two Years.

A. D. 1828. REGULATION IX.

A REGULATION *for amending the rules in force in regard to Special or Second Appeals, instituted in formâ pauperis:—Passed by the Governor General in Council, on the 27th November,* 1828, *corresponding with the* 13*th Aughun* 1235 *Bengal Era; the* 6*th Aughun* 1236 *Fusly; the* 14*th Aughun* 1236 *Willaity; the* 6*th Aughun* 1885 *Sumbut; and the* 18*th Jummadee-ul-uwal* 1244 *Higeree.*

WHEREAS there is reason to believe that the rule contained in Section V. Regulation II. 1825, in consequence of its not having a retrospective effect, has operated to prevent in some instances the admission of Special Appeals from persons suing in formâ pauperis, the Governor General in Council has enacted the following rules, to be in force from the date of their promulgation throughout the Provinces immediately subject to this Presidency. Preamble.

II. The

The rule contained in Section V. Regulation II. 1825, declared applicable to Second or Special Appeals, which may have been instituted in formâ pauperis, but rejected between the date of the promulgation of Regulation XXVIII. 1814, and of Regulation II. 1825.

II. The Rule contained in Section V. Regulation II. 1825, is hereby declared applicable to any Second or Special Appeals which may have been instituted in formâ pauperis, but which may have been rejected, between the date of the promulgation of Regulation XXVIII. 1814, and of Regulation II. 1825, on the sole ground that Paupers were not entitled under Regulation XXVIII. 1814, to institute a Second or Special Appeal in formâ pauperis.

The several Courts of Justice empowered to enquire into and decide such Second or Special Appeals if preferred within one year from the date of the present Regulation.

III. The several Courts of Justice are hereby empowered and required, on application being made by the parties interested, provided such application be made within one year from the date of the promulgation of this Regulation, to enquire into and decide any Second or Special Appeals of the above description which may have been rejected exclusively on the ground stated in the foregoing Section, any thing in the existing Regulations to the contrary notwithstanding.